



Havering

L O N D O N B O R O U G H

REGULATORY SERVICES COMMITTEE AGENDA

| | | |
|---------------|--------------------------------------|--|
| 7.30pm | Thursday 16 December 2010 | Havering Town Hall Main Road, Romford |
|---------------|--------------------------------------|--|

Members 11 : Quorum 4

COUNCILLORS:

Conservative Group (7)

Barry Oddy (**Chairman**)
Barry Tebbutt (**V Chairman**)
Sandra Binion
Jeff Brace
Garry Pain
Robby Misir
Fred Osborne

Residents' Group (2)

Brian Eagling
Linda Hawthorn

Labour Group (1)

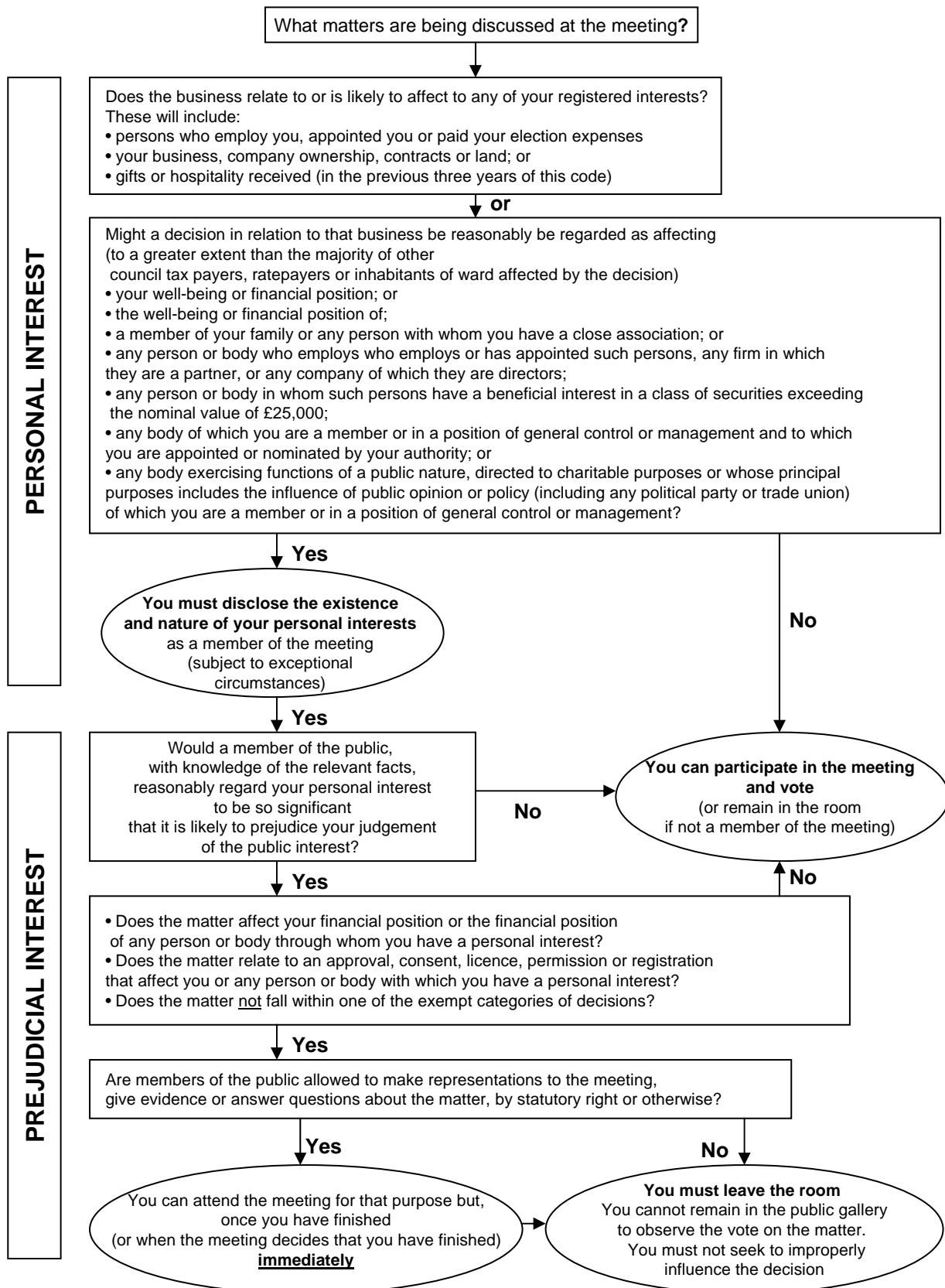
Paul McGeary

Independent Residents' Group (1)

Mark Logan

**For information about the meeting please contact: Andy Beesley (01708) 432437
E-mail: andrew.beesley@havering.gov.uk**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



AGENDA ITEMS

1 CHAIRMAN'S ANNOUNCEMENTS

The Chairman will announce details of the arrangements in case of fire or other events that might require the meeting room or building's evacuation.

The Chairman will announce the following:

These are the arrangements in case of fire or other events that might require the meeting room or building's evacuation. (Double doors at the entrance to the Council Chamber and door on the right hand corner (marked as an exit).

Proceed down main staircase, out the main entrance, turn left along front of building to side car park, turn left and proceed to the "Fire Assembly Point" at the corner of the rear car park. Await further instructions.

I would like to remind members of the public that Councillors have to make decisions on planning applications strictly in accordance with planning principles.

I would also like to remind members of the public that the decisions may not always be popular, but they should respect the need for Councillors to take decisions that will stand up to external scrutiny or accountability.

2 APOLOGIES FOR ABSENCE AND ANNOUNCEMENT OF SUBSTITUTE MEMBERS (if any) - receive.

3 DECLARATION OF INTERESTS

Members are invited to declare any interests in any of the items on the agenda at this point of the meeting. Members may still declare an interest in an item at any time prior to the consideration of the matter.

4 PLANNING APPLICATIONS – See Index and Reports – Applications within statutory limits

5 P1632.10 – FORMER INGREBOURNE JUNIOR SCHOOL, TAUNTON ROAD, HAROLD HILL

- 6 P1437.10 – R.J. MITCHELL SCHOOL, TANGMERE CRESCENT AIRFIELD WAY
HORNCHURCH
- 7 P1458.10 – BROXHILL ROAD SPORTS CENTRE, BROXHILL ROAD, ROMFORD
- 8 P1551.10 – 1 OLD MILL PARADE, VICTORIA ROAD, ROMFORD
- 9 P1505.10 – CORBETS TEY SCHOOL, HARWOOD HALL LANE, UPMINSTER
- 10 P0595.10 – 183 LONDON ROAD, ROMFORD
- 11 P1473.10 – COLNE DRIVE, HAROLD HILL
- 12 P1514.10 – LAND BETWEEN VIKING WAY AND UPMINSTER ROAD SOUTH,
RAINHAM
- 13 P1574.10 – LAND TO THE NORTH OF RAINHAM STATION BOUNDED BY FERRY
LANE AND WENNINGTON ROAD
- 14 PLANNING APPLICATIONS – See Index and Reports – Applications outside
statutory limits
- 15 P1188.09 – FORMER OLDCHURCH HOSPITAL SITE, OLDCHURCH ROAD,
ROMFORD - Report to follow if available
- 16 URGENT BUSINESS

To consider any other item in respect of which the Chairman is of the opinion, by reason of special circumstances which shall be specified in the minutes, that the item should be considered at the meeting as a matter of urgency.

Philip Heady
Democratic Services Manager



Havering
LONDON BOROUGH

Item 4

Regulatory Services Committee

16-December 2010

WITHIN STATUTORY PERIOD

| Page No. | Application No. | Ward | Address |
|-----------------|------------------------|---------------|--|
| 1 - 8 | P1616.10 | Havering Park | 9, 9a & 11 Chase Cross Road Romford |

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| | | |
|-------------------------|---|---|
| APPLICATION NO: | P1616.10 | |
| WARD : | Havering Park | Date Received: 9th November 2010 |
| ADDRESS: | 9, 9a & 11 Chase Cross Road Romford | |
| PROPOSAL: | Demolition of existing workshop to rear of site, and construction of five apartments, comprising 3no. 2-bed and 2no. 1-bed units. New projecting bay window to existing first floor residential unit at 9A Chase Cross Road. Revised plans received 17-11-2010 | |
| DRAWING NO(S): | 2009-139/100 2009-139/101 2009-139/102 Revision C 2009-139/240 Revision B 2009-139/220 Revision D 2009-139/221 Revision D 2009-139/200 Revision F 2009-139/201 Revision D 2009-139/202 Revision D 2009-139/203 Revision C 2009-139/230 Revision B 2009-139/204 | |
| RECOMMENDATION : | It is recommended that planning permission be REFUSED for the reasons: given at the end of the report. | |

SITE DESCRIPTION

The application site is located on the northern side of Chase Cross Road, approximately 30 metres east of the Clockhouse Lane roundabout. The rear western corner of the site is located approximately 5 metres from Clockhouse Lane. The site is presently occupied by a pair of two storey semi-detached properties, which are utilised as 'Buddies Driving School' and 'Buddies Motor Repairs' at ground floor, with two flats, 9A and 11A on the first floor. 9A Chase Cross Road has a bedroom in the roof space. There is a large single storey workshop building, which is attached to the rear façade of the semi-detached properties. There is an existing telecommunications mast located in the north western corner of the site.

The site has a minimum frontage onto Chase Cross Road of approximately 8.5 metres and has a maximum depth of approximately 50 metres. The surrounding area is predominantly residential in character, comprising of two storey semi-detached and terraced properties. The site is flanked by a two storey end of terrace property 'Bollywood' Indian restaurant (No. 7) to the west and a two storey semi-detached property 'Chase Cross Medical Centre' (No.'s 13-15) to the east. A day nursery entitled 'Collier Row Children's Centre' is located to the rear of the site.

DESCRIPTION OF PROPOSAL

The application seeks permission for the demolition of the existing single storey workshop to the rear of the site and the construction of five apartments, comprising of 3 no. 2 bedroom and 2 no. 1 bedroom units. The proposal includes a new projecting bay window to an existing first floor residential unit at 9A Chase Cross Road.

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The proposed two storey building would be arranged with one, one bedroom flat and one two bedroom flat on the ground floor with gardens. One, one bedroom flat with a Juliet balcony and one two bedroom flat would occupy the first floor. One, two bedroom flat would occupy the second floor.

In terms of appearance the proposed building would have two areas of pitched roof with different ridge heights and two crown roof sections. The proposal features one flat roofed dormer window on the northern elevation and two flat roofed dormers on the western elevation. There is a roof light on the southern elevation and two roof lights on the eastern elevation. In terms of finishing materials, the materials proposed are red brickwork, white render, double glazed aluminium windows, a slate roof and vertical timber slats. The projecting bay window to 9A Chase Cross Road would have timber cladding comprising of horizontal panels.

The proposed two storey building with accommodation in the roof space would have a maximum width of 10.7 metres by 13.2 metres in depth. The building would have a maximum and minimum height of 8.5 and 8.2 metres respectively. The pair of two storey semi-detached properties, No.'s 9-11 Chase Cross Road, will be retained. The proposal includes a single storey element comprising cycle store, bathroom (serving a one bedroom flat) and refuse/recycling store that adjoins No. 9 Chase Cross Road, which would have a maximum width of 6.55 metres, a depth of 9.4 metres and a height of 2.7 metres. The cycle store would have a roof light.

In total, the proposal features ten car parking spaces. There is an amenity space located to the rear of the site and both ground floor flats have private gardens.

The new projecting bay window to an existing first floor residential unit at 9A Chase Cross Road would have a width of 2.2 metres, a depth of 1.2 metres and a height of 2.7 metres.

RELEVANT HISTORY

There is extensive planning history for the site, the most relevant of which is:

P1657.99 - Change of use to Class A3 - Refused.

P1685.00 - Change of use to restaurant - No decision. Approved on appeal.

M0005.03 - Telecommunications base station site comprising 1 no. 12 mono-pole supporting 3 no. antenna and associated equipment - Approved.

P0001.10 - Demolition of existing workshop to rear of site, and construction of five apartments, comprising 2 no. 2-bed and 3 no. 1-bed units - Refused.

CONSULTATIONS/REPRESENTATIONS

The occupiers of 51 neighbouring properties were notified of this proposal. At the time of drafting this report, the neighbour consultation period had yet to expire. Members will be updated verbally at the Committee of any representations received.

The Highway Authority has no objection to the proposals and is satisfied with the parking provision and the proposed parking layout.

Environmental Health - Recommend conditions if minded to grant planning permission.

Crime Prevention Design Advisor - Recommends a condition and an informative if minded to grant planning permission.

London Fire Brigade - Consideration has been given to the provision of statutory hydrants and private fire hydrants. No additional or alterations to the existing fire hydrants are required for the

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site. The Fire Brigade is satisfied with the proposal in terms of access.

RELEVANT POLICIES

Design for Living Supplementary Planning Document

Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP9 and CP10 (Transport), CP17 (Design), DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC16 (Core and Fringe Frontages in District and Local Centres), DC32 (The Road Network), DC33 (Car Parking), DC61 (Urban Design) and DC63 (Delivering Safer Places) of the LDF Core Strategy and Development Control Policies Development Plan Document are also considered to be relevant.

The London Plan (Spatial Development Strategy for Greater London) is also a further material consideration.

PPS1 'Delivering Sustainable Development'

PPS3 'Housing'

STAFF COMMENTS

This proposal follows a previous planning application, P0001.10, for the demolition of the existing workshop to the rear of the site, and the construction of five apartments, comprising 2 no. 2-bedroom and 3 no. 1-bedroom units that was refused planning permission for the following reasons:

1) The proposed development would, by reason of its scale, bulk, mass, siting, design, layout, its relationship to the existing building on the site and prominent location in the Clockhouse Lane streetscene, appear out of scale and character with neighbouring development and thereby unduly dominant and visually intrusive in the streetscene, particularly when viewed from Clockhouse Lane, contrary to Policies CP17, DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

2) The proposed development, would give rise to an unacceptably cramped layout within the site, evident by the unsatisfactory vehicle manoeuvring arrangements within the site and the poor quality of the amenity space provision, which is not directly accessible and is unacceptably overlooked, to the detriment of local character and amenity, as well as creating an unacceptably poor living environment for future occupiers of the proposed development, contrary to the Design for Living Supplementary Planning Document and Policies CP9, CP10, DC32, DC33 and DC61 of the LDF Core Strategy and Development Control Policies DPD, as well as the objectives of PPS1.

3) The proposed development would, by reason of its height, scale, bulk, mass and position close to No.'s 9-11 Chase Cross Road, appear overbearing, dominant and visually intrusive in the rear garden environment and result in a loss of amenity and outlook to No.'s 9a and 11a Chase Cross Road contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD.

4) The proposal, by reason of the inadequate vehicle turning and manoeuvring space within the site, would restrict vehicles from exiting the site in forward gear and would also restrict visibility for motorists reversing from the disabled parking bay. It is considered that this arrangement would be a potential highway and pedestrian hazard presenting unacceptable risk to the safety of pedestrians and the public highway, contrary to Policies CP10 and DC32 of the Core Strategy and Development Control Policies Development Plan Document.

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Following the refusal, a meeting was held with the agent on 16th June 2010 to discuss the reasons for refusal and comment on some revised plans. Since then, lengthy negotiations have taken place in order to overcome previously stated concerns.

In this respect, the current application differs from the refused scheme in the following key areas:

- The building for the previous application, P0001.10, had a maximum width of 14.3 metres by 13.5 metres in depth and 8.8 metres in height. The proposal for P1616.10 would have a maximum width of 10.7 metres by 13.2 metres in depth and a maximum and minimum height of 8.5 and 8.2 metres.
- One parking space has been changed to a turning zone.
- The three storey building with a pitched roof and a central crown roof section has been changed to a two storey building with accommodation in the roof space with a hipped roof, eaves and crown roof sections.
- The roof form of the building has been changed to two areas of pitched roof with different ridge heights.
- All windows on the south elevation of the building adjacent to No. 9-11 Chase Cross Road have been removed (with the exception of a roof light serving a bedroom).
- The solar panels on the south elevation of the building have been removed.
- The timber cladding, horizontal panels have been removed from the flanks of the building.
- The building has been moved 3.6 metres away from the western boundary of the site (adjacent to Clockhouse Lane).
- The projecting bay to the north elevation and the projecting wing to the east elevation have been removed.
- Private gardens have been created for both ground floor flats.
- The garden for the two bedroom ground floor flat has been removed to enlarge the communal amenity space.
- The cycle store and a bathroom have been moved towards the western boundary to provide a greater physical barrier between No. 9A and the garden of the ground floor flats.
- Part of the garden for the one bedroom ground floor flat has been removed to create a parking space.
- A projecting bay window has been added to the first floor rear elevation of 9A Chase Cross Road.
- Alterations to the windows and doors of the building.

PRINCIPLE OF DEVELOPMENT

No.'s 9 and 11 Chase Cross Road are located within the Retail Core of Collier Row Minor District Centre. Policy DC16 seeks to maintain retailing uses within the core areas of the borough's town centres and balance this with non-retail uses (A2, A3, A4, A5) to ensure its vitality and viability.

The principle of residential development is deemed to be acceptable, as No.'s 9-11 Chase Cross Road are being retained, therefore, the proposal would not result in the loss of retail units.

The provision of additional housing is also consistent with PPS1 and PPS3 as the development is re-using urban land.

DENSITY/SITE LAYOUT

The site has a relatively low level of Public Transport Accessibility (PTAL) of 1-2, as defined by Policy DC2 on Housing Density. Within this zone and the Collier Row District Centre, housing density of between 50-80 dwellings is anticipated. The site identified comprises an area of 0.1

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hectares and the proposal would produce a density of 50 dwellings per hectare which falls within the range.

The Council's Design for Living SPD in respect of amenity space recommends that every home should have access to suitable private and/or communal amenity space in the form of private gardens, communal gardens, courtyards, patios, balconies or roof terraces. In designing high quality amenity space, consideration should be given to privacy, outlook, sunlight, trees and planting, materials (including paving), lighting and boundary treatment. All dwellings should have access to amenity space that is not overlooked from the public realm and this space should provide adequate space for day to day uses.

The one bedroom ground floor flat would have an amenity space of approximately 23 square metres comprising of two garden areas. The two bedroom ground floor flat would have an amenity space of approximately 20 square metres comprising of one garden area. The flats on the first and second floors would have access to a communal amenity space of approximately 74 square metres.

Given the town centre location, it is considered that the quantity of amenity space for the flats is acceptable. Staff are of the opinion that the communal amenity space would be screened from general public view and access, and in a conveniently usable form. It is considered that the lounge window of No. 9A Chase Cross Road may overlook the private gardens of the ground floor flats, although this has been partly mitigated by moving the cycle store and a bathroom towards the western boundary to provide a greater physical barrier between No. 9A and the garden of the ground floor flats. Balancing the possible limited loss of some privacy against the actual provision of space, it is considered that the provision of some amenity space would be beneficial to future occupiers of the proposed development in addition to the communal amenity area, particularly in light of the town centre location, where this level of provision is unusual. Overall, the quality and quantity of the amenity space is deemed to be acceptable.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application would comprise the demolition of the workshop at the rear of the site. While the workshop appears to be in a structurally sound condition, the building is not of any particular architectural or historic merit and no in principle objection is therefore raised to its demolition.

PPS1 and PPS3 recognise the need for high quality design in residential development. In particular, PPS1 states that good design can help promote sustainable development; improve the quality of the existing environment; attract business and investment; and reinforce civic pride and a sense of place. It can help to secure continued public acceptance of necessary new development. PPS3 outlines the matters to consider when assessing design quality including the extent to which the proposed development is well integrated with, and complements, the neighbouring properties and the local area more generally in terms of scale, density, layout and access. As a consequence Local Planning Authorities are advised to reject designs which are considered to be poor or unacceptable.

Council policy and guidance seeks to ensure that all new developments are satisfactorily located and are of a high standard of design and layout. In this regard, it is important that the appearance of new developments is compatible with the character of the local street scene and the surrounding area. In this case, existing local character is drawn largely from the rear gardens of neighbouring properties as well as two storey, semi-detached and terraced properties.

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It is considered that the proposal would not be directly visible from Chase Cross Road, as it would be located to the rear of, and would be lower in height (8.5 and 8.2 metres) than, No.'s 9-11 Chase Cross Road.

It is considered that the hipped roof and eaves has significantly reduced the scale, bulk and mass of the proposed development in contrast to the refused scheme. In addition, the roof form of the building has been changed to two areas of pitched roof with different ridge heights, which has also minimised its height, scale, bulk and mass. Increasing the separation distance to 3.6 metres between the upper floors of the proposed development and the western boundary of the site has helped to minimise the impact of the development on the streetscene given the open aspect of the northern part of the site.

It is considered that the cumulative impact of the above amendments has addressed the first reason of refusal in terms of the design, scale, siting and appearance of the proposal. It is Staff's view that the proposed development would not appear out of scale or character with neighbouring development and would not appear dominant or visually intrusive in the streetscene.

IMPACT ON AMENITY

It is considered that the proposed development would not result in a significant loss of amenity to No. 7 Chase Cross Road, as it does not impede a 50 degree notional line, there is favourable orientation as it faces North and this neighbouring property is situated at an oblique angle from the development. In addition, the triangular shaped parcel of land between No. 7 and the application site provides a minimum separation distance of approximately 2 metres to a maximum of 11 metres.

It is considered that the proposed development would not result in a significant loss of amenity to No.'s 13-15 Chase Cross Road, as it does not impede a 50 degree notional line. In addition, there is favourable orientation as it faces North and No.'s 13, 13a, 15 and 15a Chase Cross Road (on both the ground and first floors) are collectively used as Chase Cross Medical Centre, which is a commercial use.

It is considered that No. 28 Clockhouse Lane would not be adversely affected by the proposal, as it has a commercial use as Collier Row Children's Centre (day nursery) and its garden provides a separation distance of between 18 and 23 metres to the northern boundary of the site.

It is noted that the south elevation of the proposed development would be located 4.8 metres from the rear façade of No.'s 9-11 Chase Cross Road, which contains habitable room windows at first floor. The south elevation of the proposed development would be 3.6 metres from the proposed first floor bay window of No. 9A Chase Cross Road.

The Case Officer undertook an internal inspection of the flats on the first floor, No's 9A and 11A Chase Cross Road.

No. 11A Chase Cross Road has two first floor windows on its rear façade. One window is obscure glazed and serves a bathroom. The second window serves a bedroom and is a primary light source. It is considered that the proposal would not result in a loss of light to No. 11A, as there is favourable orientation as it is located north of 9-11 Chase Cross Road. In addition, the height, scale, bulk and mass of the proposal has been considerably reduced, particularly in terms of its hipped roof. It is considered that the proposal would result in some loss of outlook to

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the bedroom window of No. 11A, although it is considered to be within acceptable limits. The reason being is that the bedroom window of No. 11A is located further to the east of the building, which has a much more open aspect adjacent to the access road.

It is noted that No. 9A Chase Cross Road has three first floor windows on its rear façade and a roof light serving a bedroom in the roof space. The three pane window nearest the western flank of the building serves a lounge and is a secondary light source with a window on the front façade. The second window is obscure glazed and serves a bathroom, which is not a habitable room. The third window serves a bedroom and is a primary light source. It is considered that the proposal would not result in a loss of light to No. 9A, as there is favourable orientation as it is located north of 9-11 Chase Cross Road. In addition, the height, scale, bulk and mass of the proposal has been considerably reduced, particularly in terms of its hipped roof. However, it is Staff's view that the proposed development would still result in a loss of outlook to the bedroom window of No. 9A Chase Cross Road. The proposal includes replacing the bedroom window of No. 9A with a bay window to help mitigate the loss of outlook.

It is considered that the bedroom window of No. 9a Chase Cross Road would be most affected by the proposed development, due to its central position on the rear facade of the building. Furthermore, consideration was given to the level of amenity that the existing occupiers (at No. 9A) have, regarding the current outlook from the bedroom window. Following a site visit, it is noted that this bedroom window has a reasonable outlook, approximately half of which comprises of the workshop building and the other half benefits from an open aspect to the east of the site. The open aspect provides a greater line of sight beyond the workshop building, including views of the sky line and other buildings in the distance.

In contrast, it considered that the outlook from the bedroom window of No. 9A would be substantially infringed by a two storey flatted development, located 3.6 metres away. It is noted that the bay window would have a projection of 1.2 metres, which would enable the occupier of No. 9A to view either side of the proposed development. Nevertheless, it is Staff's view that the bay window would not mitigate or detract from the direct line of sight from the bedroom onto the southern elevation of the proposed development, which would be between 8.2 and 8.5 metres in height. Therefore, it is Staff's view that the proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road.

HIGHWAY/PARKING

The site is located within Public Transport Accessibility Zone 1-2. Policy DC2 recommends the provision of 1.5-1 space per unit in this location. The development would provide ten off-street parking spaces resulting in two spaces per unit, which is acceptable. A turning zone has been provided which has addressed the fourth reason for refusal. The Highway Authority has no objection to the proposals and is satisfied with the parking provision and the proposed parking layout.

Consideration has been given to the provision of statutory hydrants and private fire hydrants. No additional or alterations to the existing fire hydrants are required for the site. The Fire Brigade is satisfied with the proposal in terms of access.

The refuse and recycling store for the flats is sited round the side of the building. The bins would not be pulled more than 25 metres to a collection point, which is acceptable. There is a cycle store located to the rear of the refuse and recycling store.

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KEY ISSUES/CONCLUSIONS

The proposed residential use of the site is acceptable in principle.

The proposal is deemed to be acceptable in terms of its design and impact on the streetscene.

The proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road.

The proposal would not create any highway or parking issues.

Having regard to all material planning considerations, it is recommended that planning permission be refused.

RECOMMENDATION

It is recommended that **planning permission be REFUSED** for the reasons:

1. Reason for refusal

The proposed development would, by reason of its height, scale, mass and position close to No. 9A Chase Cross Road, appear dominant, visually intrusive and overbearing and result in a loss of amenity and outlook to No. 9A Chase Cross Road contrary to Policies DC3 and DC61 of the LDF Core Strategy and Development Control Policies DPD and the Residential Design SPD.

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REGULATORY SERVICES COMMITTEE REPORT

16 December 2010

Subject Heading:

P1632.10 – Former Ingrebourne Junior School, Taunton Road, Harold Hill

Creation of a new vehicular access and road from Taunton Road (Application received 11th November 2010).

Report Author and contact details:

Helen Oakerbee, 01708 432 800
helen.oakerbee@havering.gov.uk

Policy context:

Local development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-------------------------------------|
| Clean, safe and green borough | <input checked="" type="checkbox"/> |
| Excellence in education and learning | <input type="checkbox"/> |
| Opportunities for all through economic, social and cultural activity | <input checked="" type="checkbox"/> |
| Value and enhance the life of every individual | <input type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY

This proposal is put forward before the committee due to the application site being in Council ownership. This report concerns an application for full planning permission for the creation of a new vehicular access road from Taunton Road.

Staff consider that the proposal would accord with relevant policies contained in the LDF Core Strategy and the Development Control Policies Document Plan. Approval is therefore recommended, subject to planning conditions.

RECOMMENDATIONS

That planning permission is granted subject to the following conditions.

1. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3. Before any of the development hereby permitted is commenced, details and/or samples of all materials to be used in the construction of the vehicular access shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

- a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.
- b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A - Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a "Validation Report" must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- d) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and
- e) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, "Land Contamination and the Planning Process".

Reason:-

To protect those engaged in construction and occupation of the development from potential contamination.

- 5. The proposed gate shall be inward opening or sliding only and shall be opened only when the community centre facilities are in use.

Reason:-

In the interests of highway safety.

6. Following the implementation of this permission under planning reference P1632.10, planning permission under reference P0843.10 shall not be implemented.

Reason:-

In the interests of highway safety.

INFORMATIVES

1. Reason for Approval

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33, DC45, DC53, DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request is needed.

2. Non Standard Informative

1. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

2. The developer, their representatives and contractors are advised that planning approval does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises the former Ingrebourne Junior School. The site is occupied by a group of single storey buildings surrounded by areas of hard surfaced playground and an open playing field. The application site is a rectangular shaped parcel of land situated between Noak Hill Road to the north, Ashbourne Road to the east and Taunton Road to the west. The site covers an area of approximately 2.4 hectares. The application site is located within a predominantly residential area and is joined to the south by the rear gardens of residential properties.
- 1.2 Vehicular access into the site is taken via Taunton Road with pedestrian access also available from Ashbourne Road. The entire site is located with the Metropolitan Green Belt. Ground levels across the site slope towards Ashbourne Road in a north to south direction.

2. Description of proposal

- 2.1 The application seeks planning permission for the creation of a new vehicular access from Taunton Road. The access road would measure 6m in width and 10m long and would connect Taunton Road to the existing playground. The access road would be gated when not in use.
- 2.2 This application follows permission for an identical crossover approved under P0843.10. This crossover however, would have obstructed a lamppost on Taunton Road, resulting in the need to move the access point. The new access point is 2.8m further south from the previous approval.

3. Relevant History

- 3.1 P1084.09 – Change of use of former Ingrebourne School to community, leisure and recreational use – approved.
- 3.2 P0843.10 – Creation of a new vehicular crossover in Taunton Road, opposite Hitchin Close – approved.

4. Consultations/Representations

- 4.1 A total of 39 neighbouring properties were notified in respect of the application, one representation was received stating the following comments:
- Creation of additional vehicular traffic
 - Opening of junction will be a hazard

5. Relevant Policies

- 5.1 Policies DC32 (The Road Network), DC33 (Car Parking), DC53 (Contaminated Land), DC61 (Urban Design) of the LDF Core Strategy and Development Control Policies Development Plan Document are considered to be relevant.
- 5.2 National Policy guidance set out in Planning Policy Statement 1 (Delivering Sustainable Development) and Planning Policy Guidance Note 2 (Green Belts) are also considered relevant.

6. Staff Comments

- 6.1 This proposal is put forward before the committee due to the application site being in Council ownership. The main issues for members to consider in this case are the principle of development within the Green Belt and the implications on parking and the highway.

6.2 Principle of Development

- 6.2.1 The application site is designated as being part within the Metropolitan Green Belt. PPG2 sets out a general presumption against inappropriate development within the Green Belt, both in respect of 'in principle' harm and any other resultant harm including to the character and openness of the Green Belt. In respect of providing very special circumstances the applicant has stated that the development would reduce demand for on street car parking, by utilising the existing play ground to its full potential, and would allow for larger vehicles to manoeuvre in and out of the site without blocking the public highway. The community centre here forms a significant part of the Harold Hill Ambitions Programme, where the lack of a secondary access will hamper the projects effectiveness. The minor addition of an access road will improve this.

- 6.2.2 The access would road would connect Taunton Road to the existing play ground via a 10m long and 6m wide track. Either side of the track would remain open grassed spaces. There would be no loss of landscaping as the road would connect directly onto the highway. As such it is not considered that the presence of an additional hard surfaced access road would change the character or openness of the site or wider locality.

6.3 Impact on Amenity

- 6.3.1 The site has already been converted from a primary school to a centre for community, leisure and recreational uses. The access road would form an access to a car park on site. It is not considered that the proposals here would have an impact upon local residential amenity.

6.4 Design/Impact on Street scene

6.4.1 There is an existing metal fence to the Taunton Road boundary, a section of this would need to be removed for the 6m wide access road. A metal double gate would be installed to replace the fence. In all, it is considered that changes to the boundary treatment would not have an adverse impact on the street scene or wider environment. The additional hard standing is neither considered to alter the character of the existing street scene given the minimum depth of the grassed area and the existing paving along Taunton Road.

6.5 Highway/Parking

6.5.1 The existing site has off street parking provision for 10 cars. The vehicular access onto Taunton Drive would allow the existing playground to be used as a car park; whilst it is recognised that the centre is a local facility, where many people would walk to, for those who drive, this additional provision would reduce pressure for on street car parking in the streets surrounding the site. There would be no structure or obstructions either side of the access which would block visibility into or out of the site. In order to ensure that visibility is retained, it is recommended that a condition be attached to ensure that the proposed gate only opens inwards or slides across, as outward opening gates would restrict visibility into and out of the site. The revised positioning of the access does not raise any highway objections.

6.6 Conclusions

6.6.1 Having regard to all the relevant factors and material planning considerations staff are of the view that this proposal for an access road onto Taunton Drive is acceptable. Very special circumstances have been provided in justification for the development. As such, the proposal is not considered to be harmful to the character and appearance of the Green Belt.

6.6.2 The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended accordingly.

IMPLICATIONS AND RISKS

Financial implications and risks: None

Legal implications and risks: This application is considered on its own merits and independently from the Council's interest as applicant and owner of the site.

Human Resources implications and risks: None

Equalities implications and risks: The Council's planning policies are implemented with regard to Equalities and Diversity. The additional access would improve vehicular access onto the site, making the centre more accessible for the local community.

BACKGROUND PAPERS

Application forms, site plan, received 11th November 2010.



**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P1437.10 – R.J. Mitchell School,
Tangmere Crescent, Airfield Way,
Hornchurch.

Provision of a detached modular building
for a Pre-School.

(Application received 26 October 2010)

Report Author and contact details:

Helen Oakerbee, 01708 432800
helen.oakerbee@havering.gov.uk

Policy context:

Local Development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-----|
| Clean, safe and green borough | [] |
| Excellence in education and learning | [X] |
| Opportunities for all through economic, social and cultural activity | [] |
| Value and enhance the life of every individual | [] |
| High customer satisfaction and a stable council tax | [] |

SUMMARY

This application relates to a Council owned school. The application proposes the erection of a detached modular type unit to be used as a Pre-School.

The planning issues are set out in the report below and cover the principle of the development, impact on streetscene, residential amenity and highways/parking. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1) Time limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

3) Colour of external walls: Before any of the development hereby permitted is commenced, colour samples of materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and comply with Policy DC61 of the Development Control Policies Development Plan Document.

4) Landscaping: No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft

landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants, which within a period of 5 years from completion of the development die, are removed or, become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason:

In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the Development Control Policies Development Plan Document Policy DC61

5) Hours of use: The premises shall not be used for the purposes hereby permitted other than between the hours of 07:30 and 18:00 on Mondays to Fridays and not at all on Saturdays, Sundays, Bank or Public holidays without the prior consent in writing of the Local Planning Authority.

Reason:

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

6) Storage of refuse: Prior to the first occupation of the development hereby permitted, provision shall be made for the storage of refuse awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority.

Reason:

In the interests of amenity of occupiers of the development and also the visual amenity of the development and the locality generally, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

7) Restriction of use: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 the use hereby permitted shall be a Pre-School only and shall be used for no other purpose(s) whatsoever including any other use in Class D1 of the Order, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To restrict the use of the premises to one compatible with the surrounding area and to enable the Local Planning Authority to exercise control over any future use not

forming part of this application, and that the development accords with the Development Control Policies Development Plan Document Policy DC61.

INFORMATIVES

1. Reason for Approval:

It is considered that the proposal satisfies the relevant criteria of Policies DC29, DC33 and DC61 of the LDF Development Control Policies Development Plan Document.

REPORT DETAIL

1. Site Description

- 1.1 The site comprises a primary school with a mixture of single, 2-storey and 3-storey flat roofed buildings, with some modular buildings present. The site is mainly surrounded by residential properties towards all four sides. The school playing field is towards the north-western corner of the school site.
- 1.2 Access to the school is off Tangmere Crescent and South End Road.

2. Description of Proposal

- 2.1 The application seeks permission for a single storey detached modular unit which would be used by the Aardvark Pre-School. Aardvark Pre-School is used by children in the Elm Park area.
- 2.2 The unit would be located towards the eastern side of the existing Primary School building and south of the school's playing field. The building would be approximately 27m from the eastern boundary, 90m from its northern boundary and 11m east of the Primary School building.
- 2.3 The structure would cover an area of approximately 12 metres by 9.8 metres (117.6sq metres). The building would have a flat roof to a maximum height of 3.5 metres. External walls would have a timber textured finish. Windows will be white UPVC double glazed windows and doors to be timber framed. The internal layout would represent a lobby, disabled W.C, store room, children's W.C and a 74sq metre nursery area.
- 2.4 The Aardvark Pre-School would introduce 3 x No. members of full-time staff and 3 x No. part time staff. Proposed opening hours would be between 07:30 until 09:00 Mondays to Fridays for the breakfast club, between 09:00 and 15:00 Mondays to Fridays for the Pre-School and between 15:00 and 18:00 Mondays to Fridays for the after school club.

2.5 The school have approximately 60 children registered although it can only accommodate 26 children at any one time. All the children do not always attend a full day with some children attending between 9am and 12pm and others between 12pm and 3pm.

2.6 The proposal would not involve the removal of any trees, shrubs or hedging and would also not involve any changes to the existing parking arrangements.

3. Relevant History

3.1 The subject site has extensive history dating back to 1965. More recent history involves the following:

3.2 P0888.01 – single storey front and rear extensions of main building to provide staff room and other ancillary accommodation – Approved.

3.3 P0924.05 – to replace main entrance gates, install new gate leading to playground area and secure bin area, provide crossing and disabled parking spaces – Approved.

4. Consultations/Representations

4.1 Notification letters were sent to 64 neighbouring properties with one letter or representation received, raising concerns regarding the appearance of the modular building and whether it will be permanent or temporary, the current parking situation at the school, the fact that there are existing pre-school's on the site and the impact of the building on the nature in the area.

4.2 A response was sent to address the above concerns raised.

5. Relevant Policies

5.1 Policy CP17 of the LDF Core Strategy Development Plan Document and Policies DC29, DC33 and DC61 of the LDF Development Control Policies Development Plan Document are relevant. Also relevant is Policy PPS1 (Delivering Sustainable Development) and Policy 3A.24 of the London Plan.

6. Staff Comments

6.1 This proposal is put before the Committee owing to the application being submitted, and the land being owned, by the Council. The main issues to be considered by Members in this case are the principle of development, design/street scene issues, amenity implications, and parking and highways issues.

6.2 Principle of Development

6.2.1 Policy 3A.24 of the London Plan aims to ensure that Boroughs provide a criteria based approach to the provision of different types of educational facilities and the expansion of existing facilities by taking into account:

- the need for new facilities.
- the potential for expansion of existing provision.

As such, Policy 3A.24 encourages Councils to maximise usage and reduce the need for more alternative land to be sought for educational facilities.

6.2.2 Policy DC29 seeks to ensure that the most efficient use is made of land and buildings in the education service in order that a full range of educational opportunities can be maintained.

6.2.3 It should be noted that permanent planning permission is not normally granted for modular type buildings due to their temporary nature and appearance. Notwithstanding, within the context of the existing buildings on the site, many of which are flat roofed modular units, Staff are of the opinion that exceptional circumstances exist in this instance such that the proposed building would be in character with others on the site. Should Members be minded to grant permission, it is recommended that permanent permission is granted.

6.2.4 Given the existing use of the site and the criteria of the above mentioned policies, it is considered by Staff that the principle of development would be acceptable.

6.3 Design/Impact on Street scene

6.3.1 Policy DC61 seeks to ensure that new developments/alterations are satisfactorily located and are of a high standard of design and layout. Furthermore, it seeks that the appearance of new developments/alterations is compatible with the character of the surrounding area, and does not prejudice the environment of the occupiers and adjacent properties.

6.3.2 It is considered that the proposed modular unit would be consistent with the above policy, with no detrimental impact on visual amenity. The unit would be similar in character and designed compared to those buildings already on the site. The proposal is therefore not considered to appear out of character and would be acceptable in terms of its design and impact on the street scene. In addition, although the development would be visible from the street scene, it would be set back from the edge of the highway (South End Road) by approximately 27 metres. It was also noted upon site inspection that there is dense vegetation towards the eastern boundary which would serve as screening from the street scene.

6.3.3 Staff are of the opinion that, given the context of the existing built form on this site, the proposed development would not represent a significant

addition or a major increase in the developed proportion of the site. Due to the single storey height of the unit, Staff are of the opinion that the unit would not be highly visible from the highway.

6.3.4 The proposed modular unit is considered to be acceptable in terms of design and appearance on a temporary basis, in accordance with Policy DC61 of the LDF Development Control Policies Development Plan Document.

6.4 Impact on amenity

6.4.1 The nearest residential dwelling would be approximately 50 metres away from the proposal. This neighbour (No. 349 South End Road) is towards the east and would be screened from the proposal by the existing mature trees and fencing on this boundary. The proposed unit would not be higher than any of the existing school buildings and it is therefore not considered that the proposal would have any material harmful impact in terms of visual amenity.

6.4.2 The proposal would introduce a Pre-school facility which will also have a breakfast club (open from 07:30am to 9am) and an after-school club (open from 3pm to 6pm). Staff are of the opinion that the activities associated with the proposed use would not be particularly noisy and that the opening hours are not unreasonable on the school site. The unit is further far enough removed from neighbouring dwellings and would therefore not give rise to unreasonable levels of noise or disturbance. Conditions can be imposed to restrict opening hours between 07:30 am and 6pm and prevent activities beyond these hours.

6.4.3 No overlooking or invasion of privacy issues would arise as a result of the proposal.

6.5 Other Issues

6.5.1 Other concerns raised in representations related to the impact of the proposal on the nature (fauna and flora) of the area. The site is however not a specifically designated Site of Importance to Nature Conservation or has any protected species or Tree Preservation Orders. The nature of the proposal is minor and not considered to impact on the natural fauna and flora of the area by any means.

6.6 Highway/parking issues

6.6.1 The proposed development would only be able to accommodate a limited number of additional children at any one time (26 x No. children) and would introduce 3 permanent and 3 part-time members of staff.

6.6.2 R.J. Mitchell School presently has 16 x No. parking spaces. The applicant does not propose to make use of the existing school facilities for parking.

The supporting documentation states that all but one staff member is within walking distance of the proposed site and all walk at present. The other member of staff makes use of public transport. The applicant also states that most children have siblings who attend R.J. Mitchell School and all live within walking distance of the school site.

- 6.6.3 Staff acknowledge that there would be an increase in the number of children attending the site on a daily basis and Staff would like to draw Member's attention to the fact that there would be no control in terms of the "catchment area" (i.e. the area where children comes from and distance travelled). It would however be reasonable to assume that the greatest number of children would be within walking distance from the school with possibly a few exceptions. As such, notwithstanding an increase in the number of children attending the school site, Staff are of the opinion that existing parking and drop-off activity would not materially differ to the extent that a harmful impact would occur on the free and safe flow of traffic.
- 6.6.4 The applicant confirmed that the breakfast and after school clubs have been attended by R.J. Mitchell School pupils over the years. This service will ideally be continued by Aardvark and with the proposal on the school site, it would be beneficial in terms vehicle trip generation. With parents dropping off school pupils for the breakfast club earlier than normal school hours and picking up children from the after school club, journeys would be spread across the day and alleviate possible congestion at peak drop-off and pick-up hours. In addition, there would be a limited number of additional journeys as siblings would be at both the R.J. Mitchell School, the breakfast and after school club and the Pre-School.
- 6.6.5 Staff acknowledge that the Children's Centre also operates on the site. The Children's Centre is open between 08:30 and 16:30, Mondays to Fridays and has its own parking facilities for staff and visitors. This area is fenced off from the school site and has its own entrance and exit.
- 6.6.6 The Bridge Nursery is a pupil referral unit for children with social communication difficulties. The nursery is open from 08:45 to 11:45 and afternoon sessions between 12:30 and 15:30, Mondays to Fridays. Each session is for 6 children only between the ages of 3 - 4 years. Bridge Nursery is also fenced off with its own entrance and exit.
- 6.6.7 In light of the above, Staff are of the opinion that the site can accommodate a new Pre-School and that the additional facility would not unduly conflict with the existing facilities on the site in terms of parking or drop off and pick up. It is not considered that a facility for an additional 26 children on the site (maximum number at any one time), would result in any unacceptable parking or highway issues. It is considered that the proposal would have no adverse effects on the function of the highway and no parking issues are raised.
- 6.6.8 No objections were raised by The Highways Authority.

7. Conclusion

- 7.1 The proposal is considered to be in accordance with the aims and objectives of the LDF Development Control Policies Development Plan Document and approval is recommended, subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

This application is considered on its merits independently of the Council's interest as applicant and owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal would introduce a community use to the area which, on the R.J. Mitchell School site will provide beneficial learning facilities in conjunction with existing learning facilities. The use will also provide disabled access and a W.C. with easy access for all.

BACKGROUND PAPERS

Application forms and plans received on 26th October 2010.

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REGULATORY SERVICES COMMITTEE

REPORT

16 December 2010

| | |
|---|---|
| Subject Heading: | P1458.10 – Broxhill Sports Centre, Broxhill Road, Romford |
| | Installation of metal shutters to front windows and entrance door (Application received 17 th November 2010) |
| Report Author and contact details: | Helen Oakerbee (Planning Control Manager) 01708 432800 |
| Policy context: | Local Development Framework |
| Financial summary: | None |

The subject matter of this report deals with the following Council Objectives

| | |
|--|-----|
| Clean, safe and green borough | [X] |
| Excellence in education and learning | [] |
| Opportunities for all through economic, social and cultural activity | [] |
| Value and enhance the life of every individual | [X] |
| High customer satisfaction and a stable council tax | [] |

SUMMARY

This matter is brought before committee as the application site is Council owned. The application seeks full planning permission for the installation of metal shutters to two front windows and an entrance door of the Broxhill Sports Centre. Staff conclude the proposal to be acceptable. The application is recommended for approval subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1. The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:-

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:-

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

Informatives:

1. Reason for Approval:
The proposal is considered to be within the aims and objectives of Policies CP14 and CP17 of the LDF Core Strategy Development Plan Document and Policies DC45 and DC61 of the LDF Development Control Policies Development Plan Document.

REPORT DETAIL

1. **Site Description:**

- 1.1 The Broxhill Sports Centre is located on the eastern side of Broxhill Road, Romford. The proposal relates to a single storey building with a flat roof. The site is located in Metropolitan Green Belt. The Havering Disabled Sports Association utilises a gym (Gym 1) for archery, indoor bowls, table tennis and other activities as well as a snooker room and a social and vending area.

2. **Description of development:**

- 2.1 The application seeks permission for the installation of metal shutters to two front windows and an entrance door at the leisure entrance of the Broxhill Sports Centre. The shutters are required to prevent the equipment from being stolen, as the building has been subject to considerable vandalism.

3. **Relevant History:**

P1170.98 - Erection of 2.1m high security fence around the boundaries, with associated gates (joint application for the Broxhill Centre and the Whitworth Centre) - Approved.

P0763.00 - Single storey extension to south side of sports pavilion - Approved.

4. **Consultations/Representations:**

- 4.1 Eight neighbouring occupiers were notified of the planning application. No letters of representation have been received. At the time of drafting this report, the neighbour consultation period had yet to expire. Members will be updated verbally at the Committee of any representations received.

5. **Staff Comments:**

- 5.1 The issues arising in respect of this application will be addressed under the headings principle of the development, impact on the streetscene, amenity issues and parking and highways implications. Policies CP14 and CP17 of the LDF Core Strategy Development Plan Document and Policies DC45 and DC61 of the LDF Development Control Policies Development Plan Document are relevant.

5.2 Principle of Development

- 5.2.1 The site is located in Metropolitan Green Belt. It is considered that the proposal would not be harmful to the open character and appearance of the green belt, as it involves minor alterations to an existing building. Therefore, the principle of development is deemed to be acceptable.

5.3 Design/impact on street/Garden scene

- 5.3.1 It is considered that the proposed security shutters would not be harmful to the streetscene, as the Broxhill Sports Centre is set back approximately 100 metres from Broxhill Road. The proposal is a relatively modest development as it consists of security shutters for two windows and an entrance door at the leisure entrance of the Broxhill Sports Centre.

5.4 Impact on amenity

5.4.1 It is considered that the security shutters would not be harmful to residential amenity as the site is well separated from neighbouring properties. The nearest residential property is located approximately 100 metres from the Broxhill Sports Centre.

5.5 Highway/parking issues

5.5.1 It is considered that the proposal would not create any highway or parking issues.

6. Conclusion

6.1 Having regard to all relevant factors and material planning considerations staff are of the view that this proposal for the installation of metal shutters to the front windows and an entrance door of the Broxhill Sports Centre would be acceptable. Staff are of the view that the proposal would not have an impact on the streetscene or result in a loss of amenity to neighbouring occupiers. The proposal is considered to be acceptable in all other respects and it is therefore recommended that planning permission be granted subject to conditions.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on merits and independently from the Council's interest as the owner of the site.

Human Resources implications and risks:

None.

Equalities implications and risks:

The proposal is judged against planning policies which take into account equalities and social inclusion implications. The Broxhill Sports Centre is regularly used by the Havering Disabled Sports Association. The installation of metal shutters to the front windows and entrance door would help prevent the equipment from being stolen.



REGULATORY SERVICES COMMITTEE REPORT

16 December 2010

Subject Heading:

P1551.10 – 1 Old Mill Parade, Victoria Road, Romford
(Received 27th October 2010 and Revised drawings received 30th November 2010).

Extension of first floor living area and construction of second floor to enable conversion to 4 x No. studio flats.

Report Author and contact details:

Helen Oakerbee, 01708 432800
helen.oakerbee@havering.gov.uk

Policy context:

Local Development Framework

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-----|
| Clean, safe and green borough | [X] |
| Excellence in education and learning | [] |
| Opportunities for all through economic, social and cultural activity | [] |
| Value and enhance the life of every individual | [] |
| High customer satisfaction and a stable council tax | [] |

SUMMARY

This application relates to a 2-storey terraced building within a parade of shops known as Old Mill Parade along Victoria Road, Romford. The application seeks permission for extensions to the first floor living area and the construction of a

second floor in order to create 4 x No. flats. Staff consider the proposal to be acceptable, subject to a legal agreement preventing future occupiers from purchasing resident parking permits for their own vehicles for any existing, revised or new permit controlled parking scheme, or Controlled Parking Zone, in the vicinity of the development. It is therefore recommended that planning permission be granted, subject to conditions, after a legal agreement has been entered into under s.106 of the Town and Country Planning Act 1990(as amended) by the applicant.

The planning issues are set out in the report below and cover the principle of the development, site layout and amenity space, impact on local character and streetscene, residential amenity and highways/parking.

RECOMMENDATIONS

That the proposal is unacceptable as it stands but would be acceptable subject to the applicant entering into a Section 106 Legal Agreement under the Town and Country Planning Act 1990 (as amended), to secure the following:

- The prevention of any future occupants of the development, save for blue badge holders, from applying for parking permits within any current or future Controlled Parking Zone or other such measure affecting the locality of the application site.

That Staff be authorised to enter into a legal agreement to secure the above and upon completion of that agreement, grant planning permission subject to the conditions set out below:

1) Time limit: The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason:

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2) Materials: Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason:-

To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the Development Control Policies Development Plan Document Policy DC61.

3) Accordance with plans: The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason:

The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

4) Standard flank window condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and any replacement of or amendments thereto, no window or other opening (other than those shown on the submitted plan,) shall be formed in the flank wall(s) of the building(s) hereby permitted, unless specific permission under the provisions of the Town and Country Planning Act 1990 and any replacement of or amendments thereto has first been sought and obtained in writing from the Local Planning Authority.

Reason:-

In order to ensure a satisfactory development that will not result in any loss of privacy or damage to the environment of neighbouring properties which exist or may be proposed in the future, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5) Hours of construction: No construction works or deliveries into the site shall take place other than between the hours of 08:00 to 18:00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the Local Planning Authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason:-

To protect residential amenity, and in order that the development accords with the Development Control Policies Development Plan Document Policy DC61.

6) Construction Methodology: Before development is commenced, a scheme shall be submitted to and approved in writing by the Local Planning Authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;

- c) dust management controls;
- d) measures for minimising the impact of noise and ,if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the Local Planning Authority;
- f) scheme for monitoring noise and, if appropriate, vibration levels using methodologies and at points agreed with the Local Planning Authorities;
- g) siting and design of temporary buildings;
- h) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- i) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason:

To protect residential amenity, and in order that the development accords the Development Control Policies Development Plan Document Policy DC61.

7) Sound insulation: The building shall be so constructed as to provide sound attenuation of not less than 45 DnT, w + Ctr dB (minimum values) against airborne noise and 62 L'nT, w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason:

To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 "Planning & Noise" 1994, and in order that the development accords with the Development Control Policies Development Plan Document Policies DC55 and DC61.

8) Noise and vibration: Prior to the commencement of any development, an assessment shall be undertaken of the impact of:

- a) railways noise (in accordance with Technical memorandum, "Calculation of Railway Noise", 1995)
- b) Vibration from the use of the railway line

upon this site. Following this, a scheme detailing the measures to protect residents from railway noise and vibration is to be submitted to and approved in writing by the Local Planning Authority, and implemented prior to occupancy taking place.

Reason:

To protect residents from transportation noise and vibration.

9) *Secured by Design*: Prior to the commencement of the development hereby permitted, a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the development shall be carried out in accordance with the agreed details.

Reason:

In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and LBH-LDF Policies CP17 (Design) and DC63 (Delivering Safer Places) and Policy 4B.6 of the London Plan.

INFORMATIVES

1. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic and Engineering on 01708 433750 to commence the Submission / Licence Approval process.

3. The developer, their representatives and contractors are advised that planning permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

4. The applicant is advised that if construction materials are proposed to be kept on the highway during construction works then they will need to apply for a license from the Council.

5. The applicant is advised that provision should be made for the self closing doors to the bin storage area to include catches in order for the doors to be held open for collection purposes.

6. Planning Obligations:

The planning obligation recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure

Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

REPORT DETAIL

1. Site Description

- 1.1 The application site is located on the northern side of Victoria Road which forms part of Old Mill Parade, Romford. The site covers an approximate area of 120.6 sq metres and is currently occupied by a 2-storey flat roofed terrace building which forms part of a shopping parade within the retail fringe area of the Romford Town Centre. The site is currently occupied by Old Mill Cafe which is a café / take-away with a 3 bedroom residential flat above. The café occupies a majority of the ground floor footprint with storage and staff facilities to the rear.
- 1.2 The building is part of the terrace to neighbouring shop outlets (a mixture of A1, A2 and A3 uses) that make up the shopping parade. The first floor is of the inter-war era, built around the 1950's and is finished with a traditional concrete parapet with brickwork below known as Old Mill Parade.
- 1.3 The current building occupies the extent of the site. An access path is located to the side and rear of the property providing servicing to the adjacent properties. To the rear of the site is a car park servicing the public house, 'The Goose', beyond this is the public house's garden area and Romford train station.
- 1.4 Other properties along this parade have commercial uses at ground floor level with a mixture of commercial uses and residential flats above.
- 1.5 The site is generally level to the rear and side, the front sloping slightly towards Victoria Road. There are a number of deciduous trees located along the boundary but no other vegetation is visible. The access path is bounded by a series of chain link fencing and high level brickwork wall.

2. Description of Proposal

- 2.1 The Council is in receipt of an application seeking planning permission for an extension of the first floor living area and construction of a second floor to the existing building. The proposal would see a redesign of the internal configuration to the 1st floor rear extension and proposed 2nd floor mansard roof , similar to that granted under planning application P1497.09. This

application is for the provision of 4 No. self contained flats apartments (2 x 1-bed and 2 x 2-bed flats).

- 2.2 The extension towards the rear would measure 3.8 metres in depth towards its eastern boundary and follow the building line of the existing ground floor building to have a triangular shape and a depth of 5.5 metres towards the western boundary. This area created on 1st floor level would be used for the development of 2 No. flats. Flat 1 would measure 54.19sq metres and have 2 x No. bedrooms, 2 x No. bathrooms and an open plan kitchen / living area. Flat 2 would measure 40.52sq metres and would have 1 bedroom, a bathroom and an open plan kitchen / living area. Access to the 1st floor flats would be via the existing internal staircase. No flank wall windows are proposed on 1st floor level. Windows to Flat 1 would face north (overlooking the car park towards the rear) whilst windows to Flat 2 would face south, towards Victoria Road.
- 2.3 On 2nd floor level, within the new space created by the mansard roof extension, the proposal would introduce 2 more flats. Flat 3 would measure 30.26sq metres and would have 2 bedrooms, a bathroom and open plan kitchen / living area. Flat 4 would measure 51.87sq metres and would have 1 bedroom, a bathroom and an open plan kitchen / living area. Access would be gained via an additional internal staircase. No flank wall windows are proposed with windows for Flat 3 facing north and windows to Flat 4 facing south towards the existing parapet wall.
- 2.4 The extensions would be to a height of 6.5 metres and would be finished with a mansard roof which would be to a maximum height of 9.5 metres as measured from ground floor level. The mansard roof extension has been increased in depth since the original approval from 10 metres to 12 metres. Windows / small dormers are proposed towards the northern elevation of the Mansard roof serving the Flat 3 on 2nd floor level.
- 2.5 Access to the flats would be via the existing side entrance which currently lends access to the existing flat.
- 2.6 The flats vary in size, with the smallest flat having an internal floor area of 30.26 sq metres and the largest flat 54.19 sq metres. No private amenity space would be provided and it is not proposed to provide any dedicated off-street parking spaces.
- 2.7 Refuse storage will be provided at ground floor level in the form of a single 1100 Litre Eurobin and separate containers for recyclable materials. These will be stored in a dedicated store beneath the stairs.
- 2.8 Revised drawings were received on 30th November 2010 in order to omit the relocation of the extract duct which requires planning permission in its own right.

3. Relevant History

3.1 P1497.09 - First & second floor extensions to create 2 no. residential flats – Approved.

3.2 P0734.10 - Extension of first floor living area and construction of second floor. The existing one flat shall be converted and a total of six studio flats shall be created. The application was withdrawn.

4. Consultations/Representations

4.1 Notification letters were sent to 62 neighbouring properties and the application advertised by means of a site notice as the application relies on access from a Public Right of Way. No letters of objection were received.

5. Relevant Policies

5.1 Policies CP17 (design), DC3 (Housing Design and Layout), DC4 (Conversion to residential and subdivision of residential uses), DC33 (Car parking), DC61 (Urban Design), DC63 (Crime) and Design for Living Residential Design Supplementary Planning Document of the Local Development Framework Core Strategy and Development Control Policies Development Plan Documents, Policy ROM11 (Retail Fringe) and ROM14 (Higher Density Redevelopment) of the Romford Area Action Plan, Policy 3A.4 (Housing Choice) of the London Plan, PPS1 (Delivering Sustainable Development) and PPS 3 (Housing).

6. Staff Comments

6.1 This proposal is put before the Committee owing to the application being for the development of 4 x No. residential units and an obligation to enter into a legal agreement. The main issues to be considered in this case are the principle of development, the impact on local character and the street scene, density and site layout, the impact on amenity and parking and highway issues.

6.2 Principle of Development

6.2.1 Policy DC4 states that the conversion of space above retail units is encouraged as this can help bring activity to town and district centres and increase their vitality and viability.

6.2.2 Policy 3A.5 of the London Plan states that DPD policies should ensure that new developments offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups.

6.2.3 PPS1 encourages a mixture of uses within town centres, which can assist in creating vitality, diversity and a reduction in the need to travel. PPS1 also seeks to ensure that housing is available where jobs are created and

encourages the provision of a mixture and range of housing. PPS3 generally encourages the provision of residential development in urban areas.

6.2.4 The site is located within the retail fringe of the Romford Town Centre. In principle town centre living is becoming increasingly popular as people are seeking to integrate their working, social and home lives by choosing to live in locations with easy access to facilities and public transport. Indeed Government guidance encourages the provision of residential development in town centre locations. As such in principle, the development of the extensions to create a total of 4 No. flats on 1st and 2nd floor level would be acceptable. In addition, according to Policy ROM14 of the Romford Area Action Plan DPD, Romford will contribute to the borough's 535 new homes per year housing target through redevelopment at higher densities at Victoria Road, South Street (south of the railway) and Regarh Avenue.

6.3 Site Layout / Amenity Space:

6.3.1 Policy DC4 requires that each flat should be adequately sized, self-contained and with reasonable outlook and aspect. The proposed flats are considered to be adequately sized, self-contained and in Staff's opinion, adequate for Town Centre living. The attractiveness of this property as living accommodation would ultimately be a matter of choice for a prospective occupier.

6.3.2 Staff are of the opinion that amenity space requirements for flats in commercial areas may be waived and this is supported by Government advice. In this case, the proposed flats are considered to be of satisfactory size and have a reasonable outlook. The lack of amenity space provision is therefore not considered to be grounds for refusal of planning permission. This approach is also consistent with other planning decisions recently in respect of other similar proposals in town centre locations.

6.3.3 In terms of outlook, Flat 1 and 4 would have views of the public car park towards the rear (north) whilst Flat 2 and 3 would have views towards the existing stone parapet wall and above. The parapet wall is only approximately 1 metre in height and would therefore not result in future occupiers having views of a blank brick wall, but would allow views beyond. It is considered that the level of outlook provided by the proposed flats would be sufficient within this town centre location and as mentioned elsewhere in this report, would ultimately be a matter of choice.

6.4 Design/Impact on Street scene

6.4.1 A similar extension was approved in 2009 (Planning Ref: P1497.09). The extension which was approved measured 5.2m from the parapet wall facing Victoria Road with an overall depth of 10.8m and height of 1.75m. The 2nd floor extension proposed in this current application measures 3.25m (1.95m closer compared to the approved application) from the parapet wall with an

overall depth of 12m (1.2m increase in depth) and an overall height of 2.4m (650mm increase in height).

6.4.2 The proposed extensions and alterations would be to the rear of the application site. However, part of the mansard roof would be visible above the lower roof line of properties towards the east and west of the application site as well as above the existing parapet wall and would thus have an impact on the Victoria Road streetscene. Staff are of the opinion that the visibility of this part of the extension would be limited as the mansard roof would be set back from the main front elevation of the building by 3.25 metres thus reducing its visual impact. Approaching the site from the front of Old Mill Café, views would be limited due to this set back and the existing stone parapet wall feature towards the front. The visual appearance of the extensions will further be reduced by the design of the mansard roof which is kept to a low height (2 metres above the existing flat roof towards the front) and being hipped away from the Victoria Road side.

6.4.3 Staff acknowledge that the extensions will in part be visible from Victoria Road and that Old Mill Parade has a distinctive parapet wall feature towards the front with roof levels along Victoria Road at the same height. The proposal will increase the height of the roof of No. 1 Old Mill Parade however, it is considered by Staff that the limited view of the proposal as seen from the east and west would be minimal and the design is therefore considered to be acceptable with no harmful impact on the character of the street scene.

6.4.4 The development would however be visible from the rear (north) of the property which consists of a car park servicing the public house, 'The Goose' and the rear boundaries of commercial properties. Beyond this is the public house garden area and Romford train station. The rear car park environment along this particular strip of commercial properties has a varied character in terms of build style and appearance. Due to the varied nature of uses and build style along this parade, it was noted upon site inspection that a number of extraction flues and air conditioning units are present towards the rear of these properties.

6.4.5 Although the proposed extensions towards the rear would add to the overall bulk of the property and in addition raise its roof height above that of adjoining properties, it is not considered to have a detrimental impact on the character and appearance of this varied rear car park environment. The mansard roof design with rear dormers / windows is considered acceptable in this instance with no harm arising as a result of the proposal. Staff are therefore of the opinion that the extensions would not appear as an overbearing addition in this particular rear car park environment.

6.5 Impact on amenity

6.5.1 The application site is within the fringe area of the Romford Town Centre and the area is characterised by commercial uses at ground floor level and

this particular parade has a mixture of offices and residential flats above. The application site proposes extensions on first floor level as well as a mansard roof design which would result in the introduction of 2 No. residential flats on 1st floor level and 2 No. flats on 2nd floor level above the existing Café. The impact on residential properties is of concern when determining such applications within commercial parades in town centre locations. A judgement must be made in each case as to whether there is any likelihood of the proposal resulting in unreasonable noise and disturbance.

6.5.2 The proposed additional flats would be located above a café where there is currently a self contained flat and permission was recently granted for 2 more flats at the subject site (Planning Ref: P1497.09). As mentioned previously in this report, the site is located within the Romford Town Centre, where a certain amount of late night activity is to be expected and it is considered that prospective occupiers would take this into account before deciding whether to occupy a flat in this location.

6.5.3 It is considered that with appropriate noise insulation measures, none of the neighbouring properties would be adversely affected by the proposal in terms of additional noise created and future occupiers would further be protected from any noise disturbance arising as a result of the location within the Town Centre. Should planning permission be granted, construction hours can be controlled by means of an appropriate condition.

6.5.4 According to history records, the neighbouring unit at No. 2 Old Mill Parade has no residential use at first floor level. This was also confirmed when the original application was granted permission (Planning Ref: P1497.09). It is therefore considered that the projection of 3.8 metres beyond the rear wall of this unit at first floor level would be acceptable in this instance. Part of the window towards the rear of No. 2 is obscured by an existing extract duct and the proposal would not be more harmful compared to the present situation.

6.6 Highway/parking issues

6.6.1 There is no dedicated off-street parking provided for the proposed flats. However, the site is in a town centre location and falls within the Romford PTAL zone 5-6, which is well served by public transport and are also within 100m from the Romford train station.

6.6.2 Government guidance encourages a relaxation in parking and other standards in town centre locations, particularly where there is good access to public transport and the proposal accords with this advice.

6.6.3 The Design and Access Statement highlights the fact that the use of public transport will be encouraged. No cycle storage is provided as part of this application but can be imposed by means of an appropriate condition, should Members be minded to grant permission. The Design and Access

Statement does however highlight that due to the site's location close to public transport, there is no need for cycle storage. The Highways Authority raised no objections against the lack of cycle storage.

6.6.4 No material parking and highway impact is therefore considered to result and The Highways Authority has no objections in respect of the proposal, subject to the applicant entering into a legal agreement to restrict the opportunity for future occupants of the proposed flats to obtain parking permits as indeed has happened with other town centre residential schemes. On balance the proposal is considered to be acceptable on parking grounds and would not result in any highways issues.

6.7 Other Issues

6.7.1 Refuse collection for residents are provided at ground floor level by means of a 1100 L Eurobin and separate containers for recycling. These bins will be stored in a dedicated store beneath the stairs. The Council's Technical Services do not have any objections against this arrangement apart from the fact that the self closing doors should have catches to enable the doors to be held open when the bins are collected.

6.7.2 The Council's Crime Prevention Design Advisor has no objections against the application but requires a number of Secure by Design conditions to be imposed.

6.7.3 There is a Public Right of Way to the western side of the application site. The existing café at ground floor level currently makes use of this alley way for access to refuse storage towards the rear. The existing flat at 1st floor level also currently makes use of this alley way for access to the flat which is via an entrance door from the side. It was noted upon site inspection that there are lockable gates to either side of the alley way. It does however not appear that the gates are ever locked and this was confirmed during 2 separate site inspections where the gates were found open. Staff are of the opinion that the arrangement will remain similar to the current situation where occupiers of the commercial unit and flats above will make use of this Right of Way for access and refuse storage, without additional, harmful obstruction to the Right of Way. This arrangement is therefore considered acceptable.

7. Conclusion

7.1 In conclusion, the proposal would, in Staff's view be acceptable as it would meet Policies CP1 of the Local Development Framework Core Strategy Development Plan Document and Policies DC4, DC33 and DC61 of the Local Development Framework Development Control Policies Development Plan Document and Policy ROM14 of the Romford Area Action Plan. The proposal would not be harmful in streetscene terms or have a detrimental impact on neighbouring amenity and no highway or parking issues would arise. Accordingly, it is recommended that the application is approved,

subject to conditions and an appropriate legal agreement preventing future occupants of the proposed flats from purchasing parking permits in future.

IMPLICATIONS AND RISKS

Financial implications and risks:

None

Legal implications and risks:

Legal resources will be required for the drafting of a legal agreement.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application forms and plans received on 27th October 2010.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P1505.10: Corbets Tey School, Harwood Hall Lane, Upminster

External sensory play area on existing field including new surfacing and fencing. Plant room extension (Application received 11 November 2010)

Report Author and contact details:

Helen Oakerbee 01708 432800
Helen.oakerbee@havering.gov.uk

Policy context:

Local Development Framework
London Plan, Planning Policy
Statements/Guidance Notes

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-------------------------------------|
| Clean, safe and green borough | <input type="checkbox"/> |
| Excellence in education and learning | <input checked="" type="checkbox"/> |
| Opportunities for all through economic, social and cultural activity | <input checked="" type="checkbox"/> |
| Value and enhance the life of every individual | <input checked="" type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY

The proposal is for the construction of a sensory play area and associated plant room within the grounds of Corbets Tey School. The play area is intended to

provide additional facilities for the pupils of the school, who have special educational needs, as well as for members of local community groups.

The proposal is considered to be acceptable in all material respects and it is recommended that planning permission is granted. However, in view of the fact that the statutory consultation period has not yet expired, Members are requested to delegate authority to the Head of Development and Building Control to grant planning permission, subject to no additional representations raising material considerations which have not been considered by this report, being received prior to the expiry of the consultation period. In the event of such representations being received, the application shall be reported back to Regulatory Services Committee.

RECOMMENDATIONS

That the Head of Development and Building Control be authorised to grant planning permission subject to the conditions below upon the expiration of the statutory consultation period, subject to no additional representations being received which raise material considerations which have not been considered by this report. In the event of such representation being received, the application shall be reported back to Regulatory Services Committee.

1. SC04 Time Limit

The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.

2. SC32 In Accordance with Plans

The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

3. SC62 Hours of Construction

No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No

construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity.

4. NSC01 Tree Protection

No building, engineering operations or other development on the site, shall be commenced until fencing has been erected to protect the preserved trees on the eastern boundary of the site. The trees shall be fenced off to a distance of twelve times the diameter of the trunk at a height of one and a half metres and the fencing shall be of a type that accords with the provisions of British Standard 5837 2005. These measures shall be kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

5. NSC02 External Materials

The plant room building hereby approved shall be externally finished in timber cladding and stained to match the external appearance of the existing swimming pool building. The external materials shall then be retained as such thereafter.

Reason: To safeguard the appearance of the premises and the character of the immediate area and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

6. NSC03 External Lighting

There shall be no external lighting within the site unless otherwise submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of neighbouring residential amenity and to accord with Policy DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Reason for Approval:

The proposal is considered to accord with the aims and objectives of Policies CP8, CP9, CP10, CP14, CP15, CP17, CP18, DC26, DC28, DC29, DC32, DC33, DC34, DC35, DC45, DC48, DC51, DC61, DC62 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document as well as is PPG2 and PPS5.

REPORT DETAIL

1. Site Description

- 1.1 The application site is Corbets Tey School, which is located on the north side of Harwood Hall Lane, some 65m west of its junction with Corbets Tey Road. The school is situated within the Metropolitan Green Belt and partially within the Corbets Tey Conservation Area, which extends across the northern part of the school grounds.
- 1.2 The site is currently occupied by a cluster of school buildings, predominantly single and two storey and has been previously extended on a number of occasions. The school has a single storey timber clad swimming pool extension, which is situated to the east of the main school building. There is parking to the school frontage and grassed playing fields to the north of the school buildings. There are a number of large trees within the school grounds, in particular to the eastern site boundary, some of which are subject of a Tree Preservation Order.
- 1.3 The site is adjoined to the north and west by open Green Belt land. To the east of the site lies residential dwellings, which front on to Harwood Hall Lane or Londons Close.

2. Description of Proposal

- 2.1 Corbets Tey School is a school for children and young people who have statements detailing particular personal educational needs. The school caters for pupils aged 4 to 16 with moderate to severe learning challenges, including autism, and a number of medical syndromes.
- 2.2 The application is for the provision of a sensory play area to be situated to the north of the existing school buildings, at the rear of the existing swimming pool building. The play area will comprise three play zones, each of which provides a different sensory experience, themed around sand, water and an interactive/performance area, which can be used for outdoor teaching, storytelling and presentations.
- 2.3 The largest of these zones is the interactive area, which occupies an area 25.4m long and between 10.4 and 14.7m wide; the water zone is 16m long by 14.4m wide and the sand area 9.6m by 9.6m. Each zone will be enclosed by 1.5m high decorative fencing.
- 2.4 Each of the zones contains different equipment. The sand area includes a ramped climbing frame. The water area contains various water jets and associated play equipment. The interactive area has a low level stage, as well as two awning shades. Surfacing materials are predominantly artificial grass with a rubberised surface to the water play area. The play zones will be linked by interconnecting pathways of various textured surfaces.

- 2.5 The play area is intended to encourage, develop and challenge children and to improve their creativity, ability to communicate, hand/eye co-ordination and social skills. The facility will be used by existing pupils of the school and will also be available to local community groups outside of school hours, until 8pm in the evening and on Saturdays, as currently takes place with the existing swimming pool on the site.
- 2.6 The proposal also includes a new plant room building, which is located to the north of the existing swimming pool building. This building measures 4.8m wide by 3m deep and is 2.7m high to a flat roof. The building will be finished externally with stained timber cladding to match that of the existing swimming pool.

3. Relevant History

- 3.1 The school has had numerous previous extensions. The most recent planning history is set out below:

P1104.04 Detached garage – approved

P0509.07 Demolish old storage shed and erect new detached storage shed – approved

P0752.07 Two storey resource extension – approved

P1183.09 Two storey side extension to existing classroom block, with adjoining single storey stores lobby connection to existing swimming pool building – approved

4. Consultations/Representations

- 4.1 The application has been advertised on site and in the press as a Green Belt application and development within a Conservation Area. Neighbour notification letters have also been sent to 44 local addresses. At the time of writing this report no representations have been received. However, the consultation period has not yet expired.
- 4.2 The neighbour notification letters give until 13th December for responses to be received, whilst the newspaper and site notice publicity does not expire until 20th December, four days after the committee meeting.
- 4.3 Staff are however requesting that Members consider this application and, in the event that the proposals are considered to be acceptable, delegate authority to the Head of Service to determine the application, subject to no additional representations being received before the expiry of the statutory publicity period on 20th December which raise material considerations which have not been considered by this report.

- 4.4 This is requested on the basis that there are exceptional circumstances requiring this application to be determined at this committee and not at a later meeting. These exceptional circumstances are considered to be the fact that the project must be completed on site before the end of March 2011 otherwise funding for the project will be lost. The order for the development cannot be placed until the development has planning approval and there will be a subsequent lead in time of at least one month until the development can commence as the project includes specialist play equipment which will take a number of weeks to order and have delivered. Consequently, if approval for this development is delayed then it will create a high risk that the development cannot be completed by the end of March, the funding will not be available and the opportunity to provide this community facility will be lost.
- 4.5 The Fire Brigade, Thames and Essex & Suffolk Water and the Environment Agency has been consulted. At the time of writing this report no response has been received and Members will be advised at the meeting if any comments are made. Members are however advised that pre-application discussion has taken place with both the Environment Agency and the water authorities prior to the submission of this application.

5. Staff Comments

- 5.1 The issues arising from this proposal are the principle of the development, including its acceptability within the Metropolitan Green Belt, the impact on the character and openness of the Green Belt and the locality in general, the impact on the Corbets Tey Conservation Area, the impact on local residential amenity, parking and highway impact and environmental issues.
- 5.2 Policies CP8, CP9, CP10, CP14, CP15, CP17, CP18, DC26, DC28, DC29, DC32, DC33, DC34, DC35, DC45, DC48, DC51, DC61, DC62 and DC68 of the LDF Core Strategy and Development Control Policies Development Plan Document are material considerations, as is PPG2 and PPS5.

5.3 Principle of Development

- 5.3.1 The application is for play facilities within the grounds of an existing school. The facilities would be available for the use of current school pupils and also for community use by local user groups, who already make out of hours use of the existing school swimming pool. As the development is within the grounds of an existing school it is not considered there would be any conflict with the provisions of Policy CP8 and that the proposal would comply with Policies DC26 and DC28, as it provides additional community facilities and enables dual use of existing school premises for education and wider community purposes.
- 5.3.2 Although the development is on the school playing fields the proposal does not involve the loss of any land containing a sports pitch meeting the PPG17 definition of a playing pitch. The proposal would also provide enhanced

recreational facilities within the school grounds. It is not considered that there would be any loss of sports facilities arising from the proposal.

5.4 Green Belt

5.4.1 The site is situated within the Metropolitan Green Belt and PPG2 is therefore a material consideration. PPG2 states a general presumption against inappropriate development within the Green Belt, which should not be approved except in very special circumstances. PPG2 states that the carrying out of engineering and other operations and the material change of use of land is inappropriate in the Green Belt unless it maintains openness and does not conflict with the purposes of including land in the Green Belt. New buildings are inappropriate in this case unless they are judged to be essential for outdoor sport and recreation.

5.4.2 Staff consider that it is arguable whether the development is considered to be inappropriate in principle within the Green Belt, given that the proposals are essentially to provide an outdoor play facility within the school grounds and comprises principally of low level structures. The proposed plant room extension is required in connection with the development and could therefore arguably be considered as essential facilities required in connection with an open air recreational use.

5.4.3 Notwithstanding, in respect of the very special circumstances case, the applicant has made reference to the fact that the school is an existing development within the Green Belt, which fulfils an important role in the local community. This is a specialist school and has a specific need for the facilities that are sought. The project has been designed to be as sensitive to the school's environment as possible, including making the equipment as low level as possible, siting the development as close to existing buildings on the site as possible and using materials, colours etc. wherever possible to blend in with the surroundings (for example, timber cladding the building; use of green material for the sunshade awnings). The applicants advise they have designed the facility to be the minimum size possible (including dropping proposals to provide changing room facilities) in order to reduce the potential impact on the Green Belt.

5.4.4 In terms of the impact of the development on the Green Belt, Staff acknowledge that there would be some visual impact owing to the extent of new surfacing and the appearance of some of the play equipment within it. However, the equipment is predominantly low level and the play facility is still inherently an open air facility and it is not considered, within the context of the existing school buildings and the extent of open space that remains around the facility, that it would materially harm the intrinsic openness of this Green Belt site.

5.4.5 The development includes a new pump room building, which is considered to be an essential facility for the development. The pump room has been sited as close to the existing swimming pool building as possible, which

appears as a backdrop to the pump room, thereby reducing its impact on the openness of the site. The pump room has a flat roof to minimise height and is to be timber clad to better blend with the surroundings and adjacent swimming pool building. Staff therefore consider its impact on the openness of the Green Belt to be acceptable.

- 5.4.6 Staff consider that it is a matter of judgement whether the proposal is considered to be inappropriate in principle within the Green Belt but that in any event there are very special circumstances in this case which justify the proposed development. The proposal is not therefore considered to conflict with the provisions of PPG2 or with LDF Policies CP14 and DC45.

5.5 Impact on Conservation Area

- 5.5.1 The northern part of the application site is located within the Corbets Tey Conservation Area. The character of this part of the Conservation Area is very much drawn from Parklands, which is the open landscaped area of public open space north of the school site.
- 5.5.2 It is considered that given the location of the proposed sensory play area and plant room extension close to the existing developed part of the school site and the essentially open nature of the facility proposed that no material harm to the character and appearance of the Conservation Area would result. The proposal is therefore considered to accord with PPS5 and LDF Policy DC68.

5.6 Impact on Amenity

- 5.6.1 There is existing residential property to the east of the application site, including dwellings in Harwood Hall Lane and in Londons Close. It is considered that the essentially open nature of the development and the type of play equipment proposed would be sufficiently far from neighbouring property not to result in material harm to neighbouring amenity.
- 5.6.2 The proposals result in the creation of outdoor recreational and teaching space and consideration should be given to the potential for additional noise and disturbance from use of the facility. Staff consider that given the existing use of the site as a school and playing fields, there would not be a material increase in noise and disturbance to occupiers of neighbouring property compared to the current use. Evening and weekend use of the facility would be limited to hours of daylight as the facility is not externally lit and would not take place during unreasonable hours of the day. The play area would be over 20m from the boundary with the nearest residential property at 10 Londons Close and there is a reasonable degree of tree screening to the boundary. Staff do not therefore consider that material harm to local residential amenity would result.

5.7 Parking and Highway Issues

5.7.1 The school provides existing off street parking to the frontage. The proposed sensory play area would be used by existing school pupils during the day at term time and so would not generate additional traffic or demand for parking. Community use of the facilities would be outside of school hours and so use of the existing on-site parking facilities could be made. Staff do not therefore consider that there would be a material parking or highway impact arising from the proposals.

5.8 Environmental Issues

5.8.1 There are a number of trees to the eastern boundary of the site, some of which are subject of a Tree Preservation Order. The Council's Tree Officer has advised that there is not considered to be an adverse impact on these trees but that the tree should be fenced during construction works to provide protection.

5.8.2 Consultation responses are still awaited from the water authorities and from the Environment Agency and Members will be advised of any comments received.

6. Conclusion

6.1 The proposal will provide additional facilities for the pupils of the school and for the local community. It is a matter of judgement whether the proposals are acceptable in principle within the Green Belt but Staff are satisfied, in any event, that very special circumstances exist to justify the development. No material harm to the character of the Green Belt, the locality or the special character of the Corbets Tey Conservation Area is considered to result and there is no material harm to residential amenity or the public highway. Any representations received from the Environment Agency or water authorities received before this application is considered by committee will be addressed.

6.2 The proposal is therefore considered to be acceptable in principle and Staff recommend that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None directly affecting the Council. However, funding for the development may be lost if works cannot be completed by the end of this financial year.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The application relates to a proposed play facility at Corbets Tey School, which is a specialist school for pupils aged 4 to 16 with moderate to severe learning challenges. The facilities would also be available for use by local community groups. The proposals should therefore be considered with regard to the particular needs of the proposed user groups.

BACKGROUND PAPERS

*There is a **statutory** obligation to list papers relied on in the preparation of the report, **unless**:*

- 1 It is an exempt report*
- 2 Papers relied upon are already in the public domain as “published papers”. This can include: books, magazines and newspapers; Government publications; Council publications (including previous reports and minutes of meetings)*



**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P0595.10 - 183 London Road, Romford

Retrospective permission for Change of use of ground floor property from tanning salon (Sui Generis) to massage parlour (Sui Generis) (Application received 27th April 2010)

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

Policy context:

Local Development Framework
London Plan
National Planning Policy

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-----|
| Clean, safe and green borough | [X] |
| Excellence in education and learning | [] |
| Opportunities for all through economic, social and cultural activity | [] |
| Value and enhance the life of every individual | [] |
| High customer satisfaction and a stable council tax | [] |

SUMMARY

This application relates to the retrospective change of use of a tanning salon to a massage parlour. The application was previously reported to Regulatory Services Committee on 17th June 2010, following a call-in from Councillor Benham, where

Members resolved to defer the application to enable Staff to seek further clarification of the detailed nature of the use and the frequency of visits and appointments. Members also requested further clarification of the planning history relating to the previous use of the premises as a tanning salon and how this application was determined.

The application continues to be recommended for approval.

RECOMMENDATIONS

That planning permission be granted subject to the following conditions:

1. The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00 and 18:00 on Mondays to Saturdays and between 12:00 and 16:00 on Sundays and Bank Holidays without the prior consent in writing of the Local Planning Authority

Reason:

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

2. The number of treatment rooms within the premises shall not exceed three.

Reason:

To control customer numbers in the interests of amenity and to prevent unacceptable demand for on street parking and to accord with Policies DC32 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVE:

Reason for Approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came

into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwelling house) is needed.

REPORT DETAIL

1. Background

- 1.1 This application was previously considered by Regulatory Services Committee on 17th June 2010, where it was resolved to defer the consideration of the application to enable Staff to seek further clarification of the detailed nature of the use and the frequency of visits and appointments. This was to enable the Committee to fully consider the impact of the use of local amenity and the public highway. Members also requested further clarification of the planning history relating to the previous use of the premises as a tanning salon and how this application was determined. The information obtained and the analysis undertaken is detailed below.

2. Staff Comments

Previous Application

- 2.1 The previous use of the premises as a tanning salon was granted planning permission in May 2009 (application reference P0500.09). The permission was granted under delegated authority as it was not a category of development which required determination by Regulatory Services Committee.
- 2.2 The proposal involved the change of use from a vacant retail shop to a tanning salon with associated retail sales. The layout of the premises included three treatment rooms and the hours applied for were 9am to 6pm Monday to Saturday and 12 until 4pm on Sundays and Bank Holidays.
- 2.3 The application was approved on the basis that the premises were not in a designated retail centre and the proposal was judged to contribute to the range of service uses available in the locality. The proposal did not therefore conflict with the Council's shopping policies. It was judged that no material noise and disturbance would arise from the use, particularly having regard to the daytime hours of operation. In respect of parking it was acknowledged that, although there were two forecourt spaces, there was no highway access to them. Nonetheless, in comparison to the former retail use of the premises and having regard to the proximity to the town centre and on street parking availability locally it was judged that there were no material highway grounds for refusal.

- 2.4 In determining the current application, Members are reminded that each application should be judged on its own merits, although this proposal also raises similar planning issues for consideration.

Nature of Use

- 2.5 The applicant has supplied additional information in respect of the nature of the use of the premises. It has been advised that the premises is used for the purposes of Thai massage and Thai foot massage. The applicant states that it is based on passive stretching and gentle pressure on the body in order to relax and energise. It is stated that the massage is a traditional therapy and should not be confused with sensual massage. Thai foot massage is a massage of the lower legs and feet based on elements of Shiatsu, Reflexology, Chinese massage and Yoga. The applicant states that the treatments are carried out by qualified staff and is licensed by Environmental Health.
- 2.6 The applicant has also provided further detail of the number of users of the premises. Visitor numbers to the premises have been provided for an eight week period between week ending 24th July and 11th September. The number of customers per week ranged between 32 minimum and 41 maximum, resulting in an average of some 37 customers per week. Given the premises opens 7 days per week this gives an average of 5-6 customers per day.
- 2.7 Concerns raised by Members at the committee meeting on 17th June in respect of amenity and parking are considered below in the light of the additional information received.

Impact on Amenity

- 2.8 Staff have considered development control case law relating to the change of use of premises to a massage parlour and it is clear that such uses should only be considered on land use planning or amenity grounds.
- 2.9 The use of the premises is stated to be for the purposes of Thai massage and there is no overtly sexual element to the proposal. Nevertheless, it is clear from case law that the morality of the use proposed is not a material planning consideration. Members should not therefore seek to determine the application based on moral judgements about the nature of the use.
- 2.10 It has previously been held that the psychological impact on local amenity caused by the operation of a massage parlour in the locality can, in certain circumstances, be a material planning consideration. However, this is difficult to justify as a grounds for refusal unless it is clear that the particular circumstances of the use can be demonstrated to result in material psychological harm.

- 2.11 Issues that are generally taken into consideration in determining the impact of a use as a massage parlour on amenity are the levels of activity associated with the use and resultant levels of noise and disturbance, any instances of anti-social behaviour locally directly resulting from operation of the premises, the character of the locality and ambient noise levels and the manner of operation of the premises, for example whether it is discreetly run, the degree of advertising and the external appearance of the premises.
- 2.12 The information provided by the applicant regarding the use of the premises suggests a relatively low key operation. The application is made on the basis that the premises will offer a massage service only and there is no evidence to support the inference of sexual activity taking place. This, in any case, could be subject to other non-planning regulations and the premises already has a licence to provide massage, which was issued on 22nd April 2010 by the Council's Environmental Health Service.
- 2.13 Information submitted by the applicant indicates that the number of clientele is, on average 37 visitors per week, equating to potentially 6 customers maximum per day. In any event the number of clients on the premises at any one time would be limited by the number of treatment rooms (three). Staff consider that, in the context of the character of London Road, which is a busy main route and supports a number of commercial uses, that the levels of activity associated with the use of the premises is not materially out of character with the locality or likely to result in unacceptable levels of noise and disturbance.
- 2.14 The hours of use of the premises are between 09.00 and 18.00 hours Monday to Saturday and 12-4pm on Sundays and Bank Holidays. Staff consider that given the daytime opening hours of the premises there would be no resultant increase in levels of noise and activity during the evening that would result in material harm to local amenity. Furthermore, although a complaint about the premises has been received by the Council's Planning Enforcement Service, there is no evidence of incidences of anti-social behaviour locally directly arising from the operation of the premises.
- 2.15 The character and appearance of the premises is considered to be relatively discrete. There is no garish advertising at the premises and the front window has a suitable shopfront display, such that staff consider it could not be demonstrated that the appearance of the premises would cause unacceptable distress to local residents or appear materially out of keeping with the character of the locality. It is acknowledged that there are flats within the parade but activities within the premises are not considered to have any materially discernible impact from outside the premises. Therefore it is judged that that there is no evidence that the use results in material harm to local character or amenity.
- 2.16 Members will note the recommendation is to grant planning permission. Staff have given consideration to the possibility of granting a temporary planning consent but have not recommended this given that the premises

has been in operation since at least April. However, a temporary approval could reasonably be considered if Members consider this is appropriate to monitor the levels of activity of the premises in the interests of local amenity.

- 2.17 It could also be considered reasonable to limit the number of treatment rooms within the premises, as this would also provide some level of control over the number of people visiting the premises at any one time. This would address some concerns regarding amenity and also limit demand for parking at any one time.

Parking

- 2.18 Issues relating to car parking are set out in the appended report. In respect of the additional information sought by Members in respect of the frequency of visits and appointments the information provided by the applicant suggests that the maximum number of customers received in a one week period during the summer was 42, averaging at 6 customers per day.
- 2.19 Although the figure provided in respect of the number of visitors to the premises are only able to give a guide as to the demand for parking, staff are of the opinion that the use of the premises would not attract a particularly high level of vehicular activity as, to an extent, the amount of customers is dictated by the size of the premises and the number of consulting rooms. In terms of staff numbers, this is not considered to be significantly different from the number of staff that could be generated by the authorised use of the premises as a sun bed shop or if the premises had been in use as a retail shop.
- 2.20 The bus stop fronting the site is restricted with a bus stop clearway, which is operational 'At any time.' All of the junctions in the area are restricted with 'At any time' waiting restrictions. There is a residents parking scheme operational in the area, which forms part of the Romford Controlled parking Zone, Sector 2A (sub-sector ROS). The majority of the restrictions and permit parking bays are operational between 8am and 8pm Monday to Saturday inclusive. There are some Disc Parking Bays and Pay and Display parking bays dotted along London Road and at London Road end of the side roads.
- 2.21 Richards Avenue and Recreation Avenue opted out of the parking scheme before it was put into operation. Richards Avenue is restricted at both its junctions however, the majority of the properties in the road have vehicle crossovers, so there is very limited kerb space for visitors to park. In Recreation Avenue there are two flank walls, which are unrestricted and are mainly used for long term parking by staff of the businesses in London Road.
- 2.22 The premises is only open during the daytime and would not therefore result in parking issues during the evening. During the daytime, it is considered that existing parking restrictions in London Road and nearby residential

roads would deter illegal parking on the highway and around road junctions. The residents parking zone operates from 8am to 8pm Monday to Saturday in most local residential roads with the exception of Richards Avenue and Recreation Avenue. There is limited parking available in Richards Avenue due to existing vehicle crossovers. There are however some controlled parking bays in the locality, for example at the junction of London Road and Kensington Road, which could potentially be used by customers of the premises. As mentioned above, a condition restricting the number of treatment rooms could control the number of people visiting the premises at any one time and reduce the demand for additional parking locally.

2.23 Having regard to these factors, staff do not therefore consider that there are material parking or highway grounds to refuse the application.

3. Conclusion

- 3.1 This report follows the deferral of this application from Regulatory Services Committee on 17th June. Staff have obtained additional information regarding the detailed nature of the use and the frequency of visits/appointments, as well as provided more information relating to the previous use of the premise, as requested by Members. Staff have considered further issues relating to the impact of the change of use to a massage parlour on amenity and also in respect of parking and highway issues.
- 3.2 Staff consider the proposal to be acceptable in all material planning respects and it is therefore recommended that planning permission be granted. The report attached at Appendix 1 is that reported to Committee on 17th June.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

None.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity.

BACKGROUND PAPERS

Application form and plans received on 27th April 2010.

Appendix 1

REGULATORY SERVICES COMMITTEE

17th June 2010

WITHIN STATUTORY PERIOD

APPLICATION NO: P0595.10

WARD: Brooklands

Date Received: 27th April 2010

ADDRESS: 183 London Road
Romford

PROPOSAL: Retrospective permission for Change of use of ground floor property from tanning salon (Sui Generis) to massage parlour (Sui Generis)

CALL IN: This application has been called in by Councillor Benham on the grounds of resultant traffic, parking problems and the nature of the proposed use.

Recommendation:

It is recommended that planning permission be granted, subject to the conditions set out at the end of this report.

Site Description:

The application site is located towards the southern side of London Road, Romford. The site is presently occupied by a two storey terraced building with a commercial unit at ground floor level and residential flats above. The character of the area surrounding the site is drawn from a variety of building forms containing predominantly commercial uses. Vehicular access for deliveries are towards the front of the property.

Description of Proposal:

The application seeks consent for the change of use from tanning salon (sui generis) to a massage parlour (sui generis). The shop comprises a shopfront, a reception area, 3 separate consulting rooms and a toilet/WC.

It should be noted that the shop is currently being used as a massage parlour without planning permission. The breach came to the attention of the Enforcement Team on 16th March 2010. The applicant was invited to make a retrospective planning application, which was subsequently submitted to on 27th April 2010. This application is therefore retrospective in nature.

The massage parlour has 2 full-time employees and opening hours are 9am to 6pm, Mondays to Saturdays and 12pm to 4pm on Sundays and Bank Holidays. No other building works or alterations are proposed. The application does not involve changing the shopfront or any new advertisement signage.

Relevant History:

Various applications relating to change of use and fascia signs. More recent applications:

P0500.09 - Change of use from A1 retail to A1 retail and salon with sunbeds and spraybooths - Approved.

P0220.10 - Alterations to opening hours - Withdrawn.

REGULATORY SERVICES COMMITTEE

17th June 2010

WITHIN STATUTORY PERIOD

APPLICATION NO: P0595.10

Consultations/Representations:

A total of 16 residential properties have been consulted regarding this application. Three letters of representation have been received and concerns are set out in summary form below.

- Concerns that the massage parlour will be used as a brothel.
- This change of use is out of keeping with this predominantly residential area.
- The proposed use proximity to a school.
- The proposal will lead to an increase in traffic
- The proposal is totally unacceptable on moral grounds
- The proposal is contrary to four licensing objectives of the 2003 Act.

It is not considered that the morality of this use in this locality is a material planning consideration and it should be noted that the applicant has gone to some lengths, via a supporting statement to explain the medical and scientific merits of Thai massage. The supporting statement also includes the Licence To Operate An Establishment for Special Treatment as issued on 22nd April 2010 by the London Borough of Havering (Environmental Health Service)

The other planning issues are explored below.

Relevant Policies:

LDF Policies: DC33 and DC61

London Plan: 3C.23, 3D.2, 3D.3

Other: PPS6 (town centres)

Staff Comments:

The issues arising from this application are the principle of the development impact of the street scene, impact on residential amenities and highways and parking issues.

Principle development:

The site lies outside the Metropolitan Green Belt, Employment Areas, Commercial Areas, Romford Town Centre and District Local Centre. The site is surrounded by predominantly commercial uses at ground floor level. The massage parlour use is not considered to differ substantially from the property's lawful use as a tanning salon in terms of traffic creation and the impact on local residents and as such the change of use is considered acceptable in principle.

Impact on Amenity:

It is noted that there are residential flats above the application site and along the rest of the parade at first floor level.

It is considered that a change of use to a massage parlour would not result in any additional harm to amenities of neighbouring occupiers as the applicants are proposing opening hours are limited to 9:00-18:00 (Monday to Saturday) and 12:00 to 16:00 (Sundays and Bank holidays). These hours are the same as those approved in connection with the tanning salon.

The hours of operation are considered reasonable given the location of the application site. It is considered unlikely that any significant noise and disturbance would arise from this use.

REGULATORY SERVICES COMMITTEE

17th June 2010

WITHIN STATUTORY PERIOD

APPLICATION NO: P0595.10

Impact on Streetscene:

The proposal would not involve any changes to the shopfront and no external extensions or alterations are proposed. It is not considered that the proposal would have any detrimental impact in terms of its visual appearance and would thus not have a detrimental impact on the streetscene or character of the local area.

Highway/Parking:

The applicant has indicated that the massage parlour will have 2 permanent employees. No provision is made for on-site car parking. Notwithstanding this, the site is located within close proximity to Romford and on street parking is available nearby. In addition, there are a number of bus routes along this part of London Road. For these reasons it is considered that any shortfall in parking at the application site would be acceptable.

Conclusions:

The proposal is considered to be acceptable and it is recommended that the application be approved accordingly.

RECOMMENDATION Grant Planning Permission subject to the following conditions:

1. The premises shall not be used for the purposes hereby permitted other than between the hours of 09:00 and 18:00 on Mondays to Saturdays and between 12:00 and 16:00 on Sundays and Bank or Public holidays without the prior consent in writing of the Local Planning Authority. Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

1. **INFORMATIVE:**

Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC33 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

REGULATORY SERVICES COMMITTEE

17th June 2010

WITHIN STATUTORY PERIOD

APPLICATION NO: P0595.10

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P1473.10 – Colne Drive, Harold Hill – erection of 15 family houses comprising 11, 3-bed 5 person houses; 2, 3-bed wheelchair adaptable houses; 2, 4-bed 7-person houses together with 27 car parking spaces and landscaping. (Application received 15 October 2010)

Report Author and contact details:

Helen Oakerbee
Planning Control Manager (Applications)
helen.oakerbee@havering.gov.uk
01708 432800

Policy context:

Local Development Framework
The London Plan
National Planning Policy Statements/
Guidance

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-------------------------------------|
| Clean, safe and green borough | <input checked="" type="checkbox"/> |
| Excellence in education and learning | <input type="checkbox"/> |
| Opportunities for all through economic, social and cultural activity | <input type="checkbox"/> |
| Value and enhance the life of every individual | <input checked="" type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input checked="" type="checkbox"/> |

SUMMARY

This report concerns an application for the erection of 15 family houses, parking spaces and landscaping. Staff consider that the proposal would accord with housing, environment and transportation policies contained in the Local Development Framework Core Strategy and Development Control Policies Development Plan Document. Approval is recommended subject to a legal agreement for affordable housing provision and education contributions.

RECOMMENDATIONS

It is recommended that either:

- A** The application is unacceptable as it stands, but would be acceptable subject to the completion of a legal agreement to secure the following:
- Affordable housing of 100% of units in accordance with Policy DC6 of the Local Development Framework Development Control Policies Development Plan Document.
 - A financial contribution of a maximum £96,493.34 towards the provision of additional school places in accordance with the formula as set out in interim planning guidance for Educational Needs Generated by New Housing Development
 - A financial contribution of £10,000 for highway/ pedestrian environmental improvements in the vicinity of the application site to enable the provision of street trees and improvements to street lighting
 - Payment of the requisite fees for the monitoring of planning obligations and legal work. All contribution sums to include accrued interest at the date spent.
 - That Staff be authorised to enter into such an agreement and that upon its completion planning permission be granted subject to the following conditions:
 1. SC04 The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of section 91 of the Town and Country Act 1990.
 2. SC06 Before the building(s) hereby permitted is first occupied, the area set aside for car parking shall be laid out and surfaced to the satisfaction of the Local Planning Authority and retained

permanently thereafter for the accommodation of vehicles visiting the site and shall not be used for any other purpose.

Reason: To ensure that car parking accommodation is made permanently available to the standards adopted by the Local Planning Authority in the interest of highway safety.

3. SC09 Before any of the development hereby permitted is commenced, samples of all materials to be used in the external construction of the building(s) shall be submitted to and approved in writing by the Local Planning Authority and thereafter the development shall be constructed with the approved materials.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area.

4. SC11 No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development.

5. SC32 The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted.

6. SC62 No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday

to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity.

7. SC63 Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:
- a) parking of vehicles of site personnel and visitors;
 - b) storage of plant and materials;
 - c) dust management controls
 - d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
 - e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
 - f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
 - g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
 - h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity.

8. SC57 Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

9. NSC01 Clear and unobstructed pedestrian visibility splays 2.1m by 2.1m shall be provided each side of each vehicular access to the satisfaction of the Local Planning Authority in the position and for the distance shown on the approved plan. The approved pedestrian visibility splays shall be kept permanently unobstructed thereafter to the satisfaction of the Local Planning Authority.

Reason: In the interests of Highway safety.

10. NSC02 Prior to the commencement of the development hereby permitted, a full and detailed application for the Secured by Design scheme shall be submitted to the Local Planning Authority, setting out how the principles and practices of the aforementioned scheme are to be incorporated. Once approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention Design Advisor, the development shall be carried out in accordance with the agreed details.

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH Core Strategy DPD) and DC63 'DELIVERING SAFER PLACES' LBH Development Control Policies DPD, and 4B.6 (Safety, security and fire prevention and protection) of the London Plan (published February 2008).

11. NSC03 Prior to the commencement of the development hereby permitted, full details of all boundary treatment, including materials, which reflects the standards set out in the Secured by Design Guidance for New Homes (2009) shall be submitted to the Local Planning Authority. Once agreed in writing all boundaries shall be finished as agreed prior to first occupation of the development

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 'DESIGN' LBH Core Strategy DPD) and DC63 'DELIVERING SAFER PLACES' LBH Development Control Policies DPD, and 4B.6 (Safety, security and fire prevention and protection) of the London Plan (published February 2008).

12. NSC04 The proposed alterations or additions to the Public Highway shall be submitted in detail for approval prior to the commencement of the development.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

13. NSC05 The necessary agreement, notice or licence to enable the proposed alterations or additions to the Public Highway shall be entered into prior to the commencement of the development.

Reason: To ensure the interests of the travelling public and are maintained and comply with policies of the Core Strategy and Development Control Policies, namely CP10, CP17 and DC61.

14. NSC06 No development shall be commenced until the developer has provided a copy of the Interim Code Certificate confirming that the development design achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development shall thereafter be carried out in full accordance with the agreed Sustainability Statement. Before the proposed development is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC49 and Policies 4A.7 of the London Plan.

15. NSC07 The renewable energy system shall be installed in strict accordance with the agreed details and operational to the satisfaction of the Local Planning Authority prior to the occupation of any part of the development.

Reason: In the interests of energy efficiency and sustainability in accordance with Policy DC50 and Policies 4A.7, 4A.8 and 4A.9 of the London Plan.

16. Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority;

a) A Phase II (Site Investigation) Report (as the Phase I Report confirms the possibility of a significant risk to any sensitive receptors). This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Statement which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the LPA ; and

d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, ‘Land Contamination and the Planning Process’.

Reason: To protect those engaged in construction and occupation of the development from potential contamination.

17. SC12 No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved tree and street tree(s) adjoining the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and/or kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order.

18. NSC06 The buildings constructed pursuant to the development shall not be occupied until a means of vehicular/pedestrian access has been constructed in accordance with the approved plans.

Reason: In the interests of pedestrian safety in accordance with Policy DC34 of the LDF Core Strategy and Development Control Policies DPD.

INFORMATIVES

1. In aiming to satisfy conditions 10 and 11 the applicant should seek the advice of the Police Crime Prevention Design Advisor. He can be contacted through the London Borough of Havering Development and Building Control or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ." It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of community safety condition(s)
2. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
3. The applicant is advised to note that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.
4. The developer, their representatives and contractors are advised that this does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.

5. Planning Obligations

The planning obligation recommended in this report has been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligation is considered to have satisfied the following criteria:-

- a) Necessary to make the development acceptable in planning terms;
 - b) Directly related to the development; and
 - c) Fairly and reasonably related in scale and kind to the development.
6. Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed

Applications) (Amendment) (England) Regulations, which came into force from 6th April 2008. A fee of £85 is required per discharge request.

7. Reason for approval:

The site was previously used for housing of elderly people in a warden-controlled complex. This elderly accommodation has been re-provided to the south of the application site and the application site otherwise lies in an area where housing is the preferred use. The proposal accords with Policies CP1, CP2, CP9, CP17, DC2, DC3, DC6, DC32, DC33, DC55, DC60, DC61, DC63 and DC72 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document, PPS1, PPS3 and PPG13 and Policies of the London Plan.

Or

B That in the event that no satisfactory conclusion is reached by 6 January 2011, in negotiating the appropriate planning obligations, authority to refuse planning permission be delegated to the Head of Development and Building Control for the following reasons:

The proposal fails to make adequate provision for affordable housing and as such fails to make a contribution towards meeting identified housing needs within the Borough, to the detriment of housing opportunity and social inclusion contrary to Policies Policy DC6 and DC72 of the Local Development Framework Development Control Policies Development Plan Document, and

The proposal fails to make adequate provision for meeting the additional demand for school places likely to be generated by the proposed development, contrary to Interim Planning Guidance on Educational Needs Generated by New Housing, together with Policy CP8 of the LDF Core Strategy Development Plan Document and Policies DC29 and DC72 of the LDF Development Control Policies Development Plan Document.

The proposal would be likely to have an adverse impact on the functioning of the public highway and the safe passage of pedestrians in the vicinity of the application site, contrary to the provisions of Policy CP10 or the LDF Core Strategy Development Plan Document and Policies DC32, DC34 and DC72 of the LDF Development Control Policies Development Plan Document

REPORT DETAIL

1. Site Description

- 1.1 The application site comprises a vacant site with a number of trees. Some 7 or 8 years ago some single-storey dwellings were demolished which formed part of an elderly persons' warden controlled complex; this was around the time of completion of the new old peoples' accommodation to the south of the application site. The site area is 0.299 hectares and excludes an area to the west of the site around the preserved Oak Tree to the Paines Brook Way frontage.
- 1.2 Apart from the two-/three-storey old peoples' accommodation, Paines Brook Court, to the south of the site, the surrounding area is mainly of two-storey terraced housing. To the west of the site across Paines Brook Way is an open grassed area with trees and shrubs mainly to the banks a small river, Paines Brook.

2. Description of Proposal

- 2.1 The proposal seeks the erection of 15 (number), 2-storey terraced houses fronting onto Paines Brook Way (3), Paines Brook Road (8) and Colne Drive (4). Thirteen of the properties would be 3-bed with two of these being capable of wheelchair adaption. The other two would be 4-bed, with accommodation in the roof space together with a dormer window to the front elevation.
- 2.2 The terrace of 8 properties fronting onto Paines Brook Road would be set back by 5.5m from the back edge of the highway. The terrace would be 47m long and 10m deep with each individual property having a width of 5.7m at ground floor level. This is with the exception of the wheelchair adaptable property which would have a set back of 4m from the highway and have a staggered set back to Colne Drive such that at point it would be on the boundary with the highway.
- 2.3 The terrace of 4 dwellings fronting onto Colne Drive would be set back by 5.5m from the back edge of the highway. The terrace would be 23m long and 10.8m deep with each individual property having a width of 5.4m at ground floor level.
- 2.4 The terrace of 3 properties fronting onto Paines Brook Way would be set back by 19m from the back edge of the highway to ensure no encroachment into the Oak's root protection area and also to provide a car court area to the front of the properties. The terrace would be 18.8m wide and 10m deep with each standard property having a width of 5.4m at ground floor level, with the wheelchair adaptable property being staggered and wider at the rear.

- 2.5 Each terrace would have a hipped, gabled roof. Nonetheless, the proposed properties would, due in part to the slight slope towards Paines Brook and the differing types of accommodation, be of differing heights above ground level, with maximum ridge heights ranging from 7.8m to 8m above ground level for the 3-bed properties, 8.15m for the wheelchair properties and 9.35m for the 4-bed properties.
- 2.6 Each individual property would be provided with a separate rear amenity space and access for bin storage and collection.
- 2.7 Two parking spaces would be provided for each property with the exception of two properties to Paines Brook Road and the two smaller properties fronting onto Colne Drive which would each have a single parking space. There would be an additional visitor space provided to the car court fronting onto Paines Brook Way. This would total 27 parking spaces.
- 2.8 The proposal has been revised during consideration to introduce a second parking space to a 4-bed (7-person) dwelling and to alter the roof line to reduce the eaves level on the Wheelchair properties so that it is the same as the rest of the property.

3. History

- 3.1 P0479.10 – Erection of 19 Family houses comprising 15, 3-bed and 4, 4-bed with 28 parking spaces and associated landscaping - Withdrawn 30/6/10

4. Consultation/Representations:

- 4.1 196 neighbouring and nearby properties were notified of the application. 2 forms of correspondence were received objecting to the proposal on the following grounds:
- town cramming
 - nuisance during construction
 - increase in noise, litter and traffic causing nuisance to elderly people living nearby
 - inadequate parking on-site compounding existing parking problems
 - houses are not wanted as this will cause problems
 - devaluation of existing properties depending on occupiers of new properties
 - a better idea would be to landscape it or leave it as a waste ground

5. Staff Comments

- 5.1 The issues in this case are the principle of residential development, residential density, the impact of the development in the street scene including in relation to the preserved tree, impact in the rear garden environment and on the amenities of nearby residential occupiers and

transportation issues. Policies CP1, CP2, CP9, CP17, DC2, DC3, DC6, DC32, DC33, DC55, DC60, DC61, DC63 and DC72 of the LDF Core Strategy and Development Control Policies DPD are relevant. Policies 3A.1, 3A.2, 3A.3, 3A.5, 3A.6, 3A.9, 3C.22, 3C.23/24, 4B.8 of The London Plan also apply; as do PPS1 Sustainable development, PPS3 Housing and PPG13 Transport. The SPDs on Residential Design and the protection of trees during development are also relevant.

Principle of Development:

- 5.2 The application site is previously developed land. It is an undesignated site within the Local Development Framework such that Policy CP1 prioritises all non-designated land for housing development. The redevelopment of this site for housing is therefore considered to be acceptable in principle. The proposal would also meet the aims of The London Plan to deliver additional housing to meet the future needs of the projected population of the Borough. Furthermore, staff are of the view that the proposal would contribute to the Council's 20-year vision for the Borough, 'Living Ambition' by providing additional housing.

Residential Density

- 5.3 The proposed density for the application site would be 50.2 units /hectare. The density range for this area, which is in a low Public Transport Accessibility area, is 30-50 units per hectare. Staff consider that the marginally higher density proposed at the application site would not of itself be unacceptable providing there are no detailed matters which mean that the development results in any significant harm. This is considered in more detail below.

Design, Appearance and Layout

- 5.4 The development would be for 15, two-storey terraced houses. They would front onto Colne Drive, Paines Brook Way and Paines Brook Road such that as a group they would appear similar in layout terms with existing two-storey terraced houses to these same roads. Nonetheless the wheelchair and two 4-bed houses would be slightly higher than the proposed 3-bed units and also slightly higher than the majority of the existing two-storey properties. The old peoples accommodation to the south of the application site, within the same block rises to 3-storeys, such that Staff consider the design and appearance of the development would be appropriate as the proposed terraces would be well integrated, step down slightly towards Paines Brook and the south of the application site and be of similar design and materials.
- 5.5 Each property would be provided with car parking to the front (with the exception of property at the corner of Paines Brook Road/Colne Drive with parking provided to the rear) The parking areas and in particular the parking court are limited to the degree that there would be significant planting provided to the front of the terraces to help soften the development such that

Staff consider that the proposed parking areas would not over-dominate the development. A separate amenity space would be provided to the rear of each property which allows for cycle storage and bin/recycling storage as well as being sufficient large to provide usable space for family outdoor activities.

- 5.6 In line with the SPD on Residential Design Staff consider that the proposal would not be out of character with existing frontage development in the locality.

Impact in the Street Scene

- 5.7 The proposed houses would be terraced, front onto each of the three road and would be of two-storey height although as indicated above, of differing maximum ridge heights. While the main residential character of 2-storey terraces to the north and east of the application site, the extra care elderly persons accommodation to the south of the site within the same block is provided as one building on both 2- and three-stories. The proposed higher 4-bed houses would be located closest to the boundary with the care facility, nonetheless the nearest elevation (side) would be at least 17m from this building to the south, such that Staff do not consider that there would be an overbearing relationship. While this would result in a more exposed flank elevation in the streetscene (which would also be located slightly forward of the care building to the south), Staff consider as a matter of some judgement, that the additional height and gabled side elevation would not of itself be unacceptable in terms of visual amenity in the street scene, in part as it would be viewed only from the south of the application site and forms part of a longer terrace.
- 5.8 The houses fronting Paines Brook Road and Colne Drive would be set back from the highway to accommodate parking to the front which would be generally similar to the arrangements to existing development along these roads.
- 5.9 The corner property Paines Book Road/Colne Drive would be set slightly forward of the others as parking would be provided to the rear. It would also, due to its staggered arrangement, in part be located directly on the boundary with the highway to Colne Drive. Whilst a matter of some judgement, Staff consider that as the highway is particularly wide at this point and contains a street tree in a triangular shaped grassed area, that this property would not appear unduly cramped within its boundary. Staff therefore consider that both terraces would have an acceptable impact on visual amenity in the streetscene.
- 5.10 The terrace of three houses fronting onto Paines Brook Way would have a significant set back which would be deeper than that to the terraces to the north. However, the need to preserve the Oak Tree (and the need to avoid its root protection area), the significant gap between the proposed frontage development and the elderly people's accommodation to the south and the

more open aspect to the undeveloped area on the opposite side of Paines Brook Way, is such that Staff consider that the terrace would have an acceptable impact on visual amenity in the streetscene.

Impact in the rear garden environment

- 5.11 The proposed development would, since it is located across existing roads not have any significant impact on the rear garden environment of any of the surrounding residential dwellings.
- 5.12 The proposed dwellings would be located to the north of the elderly people's accommodation such that there would be no overshadowing from the proposed development. In addition, the elderly peoples accommodation is located a minimum of 17m from the nearest proposed development to Colne Drive and over 20m in relation to the nearest proposed development to Paines Brook Way, and nearly 50m from the rear elevations of proposed properties fronting onto Paines Brook Road. Staff therefore consider there would be no undue impact on the rear garden environment.
- 5.13 Within the development properties front onto each of the three roads and those to the corners have similar relationships as at any corner property in the Borough. Staff therefore consider that there would be no significant impact on the rear garden environment within the proposed development itself.

Impact on Residential Amenity

- 5.14 The elderly peoples accommodation has a side elevation relationship with those properties proposed closest to it, i.e., a minimum of 17m from the nearest side elevation of the proposed development to Colne Drive and over 20m in relation to the side elevation nearest proposed development to Paines Brook Way, Staff consider that this relationship would not result in any significant impact on residential amenity for the adjoining occupiers.
- 5.15 The development would be located on the opposite side to properties to Paines Brook Road and other properties in Colne Drive. This is considered to be a normal relationship for properties fronting onto an adopted highway such that there would be no undue impact on existing residential amenity for those occupiers.
- 5.16 Within the development the back to back distance between the properties fronting Colne Drive and Paines Brook Way would be approximately 26m. Staff consider that this distance is sufficient to ensure that there would be no adverse impact on residential amenity for future occupiers. Similarly the relationship with the proposed frontage development to Paines Brook Road is typical of properties at right-angles to each other where junctions exist. Staff consider therefore that the new occupiers would have a reasonable level of residential amenity.

Highways

- 5.17 Annex 5/Policy DC2 of the LDF Core Strategy and Development Control Policies DPD indicates that in this location and for this use that 1.5-2 parking spaces should be provided for each dwellinghouse. For 15 units therefore between 22.5 and 30 spaces should be provided. The proposal would provide 27 parking spaces, towards the higher end of this range with the two largest properties both having 2 spaces each. In addition, cycle storage would be provided for each property. Staff therefore considered that this provision would be acceptable.
- 5.18 Each property would have a servicing access to the rear garden area for ease of collection for domestic waste and recycling materials and to ease the use of cycles stored in the rear gardens.

Trees

- 5.19 The site lies adjacent to a preserved Oak Tree and there is at least one street tree adjacent to the application site. A number of trees would also be planted within the application site as part of the landscaping scheme. It is proposed that no development would fall within the root protection area of the preserved Oak Tree. Staff therefore consider, providing suitable measures are undertaken during the construction period, that this and the adjoining street tree(s) would not be damaged by the proposed development. Suitable conditions will be attached to any grant of planning permission.

Security Considerations

- 5.20 The Crime Prevention Design advisor has asked for conditions and an informative about Safer Places and Secured by Design certification to be added to any planning approval. Suitable conditions and an informative would be attached to any grant of planning permission.

Education Implications:

- 5.21 The development would have implications for local schools and a financial contribution of a maximum of £96,493.34 is sought towards the provision of additional school places, in accordance with the formula as set out by the IPG on Educational Needs Generated by New Housing Development. Staff are currently in discussions with the applicant regarding the amount of contribution sought in this instance. Members will be updated at the Committee meeting of the progress made in respect of these discussions.

Affordable Housing

- 5.22 The development would provide 100% affordable housing which would help to meet the Borough's affordable housing targets. The proposal would provide 4 of the properties for rent with the remainder available as

intermediate housing through a Registered Social Landlord. While this would not strictly meet the tenure criteria identified in Policy DC6, a viability assessment has been considered such that the proposed level of properties for rent is considered acceptable for viability reasons. This will be secured through a legal agreement.

Sustainable Development:

- 5.23 The proposal would meet the appropriate energy efficient targets as it is proposed to meet Code for Sustainable Homes Level 3. This is in accordance with the relevant policy.

6. Conclusions

- 6.1 The principle of residential use of the site is considered to be acceptable. Staff consider that the proposal would help meet housing targets and provide much needed affordable housing accommodation. The proposal would meet urban design, environmental (including trees) and highways policies, Staff consider that the proposal would be acceptable subject to contributions being provided and a legal agreement being signed to secure the affordable housing.

IMPLICATIONS AND RISKS

7. Financial Implications and risks:

- 7.1 None

8. Legal Implications and risks:

- 8.1 All decisions, irrespective of ownership of land, are made on the basis of the development plan and other material considerations.

9. Human Resource Implications:

- 9.1 None

10. Equalities and Social Inclusion Implications:

- 10.1 The proposal would provide 100% affordable housing of which two family dwellings would be wheelchair adaptable with additional width parking spaces for easier access for wheelchair users.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.

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**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P1514.10 – Land between Viking Way and Upminster Road South, Rainham

Construction of a new road linking Viking Way and Upminster Road South to enable the introduction of a one-way system through Rainham Village (Application received 15th October 2010 & additional information received 28th October 2010)

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

Policy context:

Local Development Framework
London Plan
National Planning Policy

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

| | |
|--|-----|
| Clean, safe and green borough | [X] |
| Excellence in education and learning | [] |
| Opportunities for all through economic, social and cultural activity | [] |
| Value and enhance the life of every individual | [] |
| High customer satisfaction and a stable council tax | [] |

SUMMARY

This application relates to the construction of a new roadway including a shared pedestrian/cycle pathway on land between Viking Way and Upminster Road South. This application forms part of a wider project which will enable the introduction of a one way traffic management system through Rainham Village. This application stems from the Council's vision for the area, and is an integral part of the Rainham Compass strategy and Rainham Village Public Realm Masterplan.

The planning issues are set out in the report below and include issues relating to the principle of the development, design and visual impact, impact on the town centre and Rainham Conservation Area, impact on residential amenity and highways matters. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATION

It is recommended that planning permission be granted subject to the following conditions:

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

3. Materials - Before any of the development hereby permitted is commenced, details of all materials to be used in the external construction of the new road and footways shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Landscaping - No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion of the development and any trees or plants which within a period of 5 years from completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local Planning Authority.

Reason: In accordance with Section 197 of the Town and Country Planning Act 1990 and to enhance the visual amenities of the development, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. External play area - Prior to the first use of the new roadway hereby approved, details of the proposed relocated external play area, including details of any play equipment and boundary fencing, shall be submitted to and agreed in writing by the Local Planning Authority. The play area shall then be provided in accordance with the agreed details within a period to be agreed and retained thereafter.

Reason: In order that the development provides access to good quality, well-designed, secure and stimulating play provision in accordance with Policy 3D.13 of the London Plan.

6. Archaeology - No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the approved detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

Reason: In order to comply with the requirements of Policy DC67 of the LDF Core Strategy and Development Control Policies Development Plan Document.

7. Hours of construction - No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to

Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

8. Wheel washing - Before the development hereby permitted is first commenced, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during construction works shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area.

9. Construction methodology - Before development is commenced, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Method Statement to control the adverse impact of the development on the amenity of the public and nearby occupiers. The Construction Method statement shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) storage of plant and materials;
- c) dust management controls;
- d) measures for minimising the impact of noise and, if appropriate, vibration arising from construction activities;
- e) predicted noise and, if appropriate, vibration levels for construction using methodologies and at points agreed with the local planning authority;
- f) scheme for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- g) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- h) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development shall be carried out in accordance with the approved scheme and statement.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

10. Land contamination - Prior to the commencement of any works pursuant to this permission the developer shall submit for the written approval of the Local Planning Authority (the Phase I Report having already been submitted to and approved in writing by the Local Planning Authority):

- a) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the site ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.
- b) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise two parts:

Part A - Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B - Following completion of the remediation works a 'Validation Report' must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

- c) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals, then revised contamination proposals shall be submitted to the LPA; and
- d) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, 'Land Contamination and the Planning Process'.

Reason: To protect those engaged in construction and occupation of the development from potential contamination. Also in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC53.

11. Prior to the commencement of any works pursuant to this permission the applicant shall submit for the written approval of the Local Planning Authority a Stage 2 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges and any recommendations arising shall be reasonably dealt with. The findings of the Audit shall be implemented in accordance with the approved details prior to the opening of the Viking Way and associated works, or as otherwise allowed in the audit.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

12. Prior to the opening of the Viking Way extension pursuant to this permission, the applicant shall submit for the written approval of the Local Planning Authority a Stage 3 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges and any recommendations arising shall be reasonably dealt with. The findings of the Audit shall be implemented in accordance with the approved details prior to the opening of the road and associated works, or as otherwise allowed in the audit.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

13. At 12 and 36 months following opening of any route pursuant to this permission, the developer shall submit for the written approval of the Local Planning Authority a Stage 4 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges and any recommendations arising shall be reasonably dealt with.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. To aid the delivery of safer, stronger, sustainable development the services of the local Police Crime Prevention Design Advisor are available free of charge through Havering Development and Building Control or Romford Police. He is able to provide developers with impartial professional designing out crime advice, which takes account of local conditions and risks.
2. The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an

archaeological project design. This design should be in accordance with the appropriate English Heritage guidelines.

3. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 432574 to commence the Submission/Licence Approval process.
4. The applicant is advised that the proposed landscaped bund between the new section of road and the Rainham Recreation Ground may require separate planning permission.
5. Reason for Approval:

The proposal is considered to be in accordance with Policy SSA14 of the LDF Site Specific Allocations Development Plan Document, Policies CP7, CP9, CP10, CP15, CP17, CP18, DC18, DC32, DC34, DC35, DC36, DC48, DC49, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68 and DC70 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the provisions of Policies 3C.1, 3C.2, 3C.4, 3C.9, 3C.14, 3C.19, 3C.20, 3C.21, 3C.22, 3D.14, 4A.12, 4A.13, 4B.3, 4B.5, 4B.6, 4B.12 and 4B.15 of the London Plan.

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| REPORT DETAIL |
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1. Site Description

- 1.2 The application site encompasses Viking Way which currently operates as a two-way link between the roundabout junction of Bridge Road and Lamson Road and the Tesco's store. As well as the store, it also provides access to the Tesco petrol filling station to the south west of the roundabout and to the Royals Youth Centre to the south. Viking Way serves as the only vehicular access for shoppers into and out of the shared Council and Tesco's car park. The existing bus stop area to the northern side of Viking Way is included within the application site boundary.
- 1.2 The application site also includes a portion of the Rainham Recreation Ground which is located to the east of the Tesco store and to the north of Upminster Road South. Rainham Recreation Ground is a public parkland including footpaths and children's play area.
- 1.3 The application site is located within Rainham Village with the surrounding area comprising a variety of commercial and residential land uses. The

northern side of Viking Way is presently dominated by the Tesco store and car park with the southern side being formed of the Tesco filling station, Royals Youth Centre and the rear of those buildings fronting Parkway and Upminster Road South.

2. Background Information

- 2.1 The London Borough of Havering and London Thames Gateway Development Corporation are working together to deliver key regeneration projects in Rainham. The Council has secured £1.6m from Transport for London and the London Development Agency to improve traffic management within Rainham Village. With its partners the Council has been working to introduce the Rainham Traffic Management Scheme. The Rainham Traffic Management Scheme involves the extension of Viking Way to Upminster Road South to enable the introduction of a one way system through Rainham Village. The scheme also involves various works to the existing public highway using the Council's powers as Highway Authority. These works are focused upon Upminster Road South and include the widening of footways, the creation of additional on street parking and loading bays, together with the relocation of the existing bus stand adjacent to the War Memorial to within the forthcoming public transport interchange at Rainham Station.
- 2.2 This application stems from the Council's vision for the area, and is an integral part of the Rainham Compass strategy. This vision seeks to bring together ambitious goals and aspirations for Rainham as an important part of the Council's 20 year Living Ambition to improve quality of life across the whole borough. This application is also an integral part of a masterplan which has been produced for Rainham Village.

3. Description of Proposal

- 3.1 This application seeks full planning permission for the construction of a one-way road, incorporating a footway to the southern side and a shared pedestrian/cycle pathway to the northern side, linking Viking Way with Upminster Road South. The application also seeks permission for a new road junction on Viking Way, adjacent to the Tesco store car park entrance, and for the reconfiguration of the bus stop area to the north side of Viking Way, adjacent to the southern flank of the Tesco store.
- 3.2 The proposal would see Viking Way extended east of the entrance to Tesco and the existing public car park to join up with Upminster Road South east of Rainham Village. The new section of road would be one-way in an eastbound direction and require land-take from the existing public car park and the Rainham Recreation Ground. The existing public car park would be retained and reconfigured. A new priority junction with dedicated left turn lane into Tesco would be provided and the existing public car park access relocated to the new section of Viking Way to allow for the better distribution of parking spaces within it. The Council's existing parks maintenance car

park currently accessed from Upminster Road South would be removed as part of this proposal and the land returned to landscaping. A new vehicular access for parks vehicles to enter Rainham Recreation Ground would be provided from the new section of Viking Way. It is proposed that the carriageway width of the Viking Way extension would be 4 metres. A 2 metre wide footway is proposed to the south side and 3 metre wide shared pedestrian\cycle facility to the north side. At the point where the new section of Viking Way meets with Upminster Road South a new build-out junction is proposed with Upminster Road South becoming one-way through the Village in a westbound direction.

- 3.3 The existing bus stop adjacent to the southern flank wall of the Tesco store would also be altered as a result of this proposal with the road widened and the central island increased in size. Bus shelter facilities would be re-provided in this location although these do not specifically require planning permission and do not form part of this application.

4. Relevant History

- 4.1 There is no relevant planning history.

5. Consultations/Representations

- 5.1 The application has been advertised and neighbour notification letters sent to 184 local addresses with two letters of representation being received. The first letter raises concern in respect of the location of a loading bay within Upminster Road South. The proposed loading bay forms part of the highway works to be undertaken by the Council as Highway Authority and falls outside the red line of this planning application. Notwithstanding this the applicant has contacted the objector in an effort to resolve the issues raised. The second letter of representation received questions the provision of a new road in close proximity to a children's play area and suggests that the relocated play area should be a suitable distance from the road.
- 5.2 The Borough Crime Prevention Design Advisor considers that the proposal does not present any material crime prevention issues.
- 5.3 The London Fire Brigade are satisfied with the proposal in respect of access for fire appliances and the provision of water.
- 5.4 Thames Water raises no objection to the proposals.
- 5.5 The Environment Agency have advised that they presently raise objection to the application on the basis that insufficient information has been provided to date in the applicant's flood risk assessment. The applicant has supplied additional information to the Environment Agency to address these deficiencies and further comments are anticipated. A verbal update will be given by staff at the committee meeting.

5.6 The Council's StreetCare Service raises no objections to the proposals and has provided the following comments:

- The Highway Authority has considered the loss of car parking from within the existing public car park and has concluded that there will be no detrimental impact on the Public Highway.
- The additional loading and car parking on Upminster Road South are welcomed as they would provide much needed facilities for local shops.
- The Highway Authority has no objection to the alignment of the extension of Viking Way and its connections with the public highway and Tesco Supermarket. In particular we are content that the new junction with Tesco works well within its theoretical capacity and has minimal queuing delays given the worst case scenario considered by the transport assessment.
- The Highway Authority has no objection to the principle of the new alignment and one way working of Upminster Road South, and concludes that the detail will be established through the statutory process required by the implementation of new Traffic Regulation Orders.

5.7 Transport for London (TfL) has raised a number of comments in respect of this planning application. Whilst TfL are supportive of the wider Rainham Traffic Management Scheme they have raised concerns in respect of the way that the scheme will be implemented. The comments relate to the phasing of the Traffic Management Scheme as a whole and advise that TfL cannot support the closure of the existing bus stand at the War Memorial until such time as a suitable alternative is provided. Based on the information supplied to TfL by the Council to date, and to safeguard their position, TfL objects to this planning application as they consider it has the potential to have a detrimental impact on bus services. The comments made by TfL are not considered to be material planning considerations nor are they directly related to this application. The comments raised by TfL will need to be resolved by the Council as applicant and are not judged to prevent the determination of this application.

5.8 In addition to the consultation undertaken through this planning application public consultation was undertaken in Rainham Village by the applicant in September 2010. The consultation took the form of a drop in event organised to present the community with the proposals for the Rainham Traffic Management Scheme in its entirety. Posters and fliers were sited in key places in Rainham and issued to the local community groups to publicise the event. Letters were also issued to local residents, community databases and notices were placed in the Council's Living magazine. Letters specifically for the local shop keepers were hand delivered and a business only drop in event was also organised.

5.9 Based on feedback from previous consultation events, two layout options were presented to the community and attendees were asked to pick their

preferred option. Consultation boards, detailing the two options, were displayed in Rainham Library for ten days and manned by LB Havering Officers for three days. Attendees were taken through the boards by an Officer and were given the opportunity to engage in discussions, ask questions and leave their comments via a feedback form. A ballot box was also provided such that comments could be left throughout the ten day period. The results from the consultation showed the community were quite passionate about the provision of street parking, alleviating congestion, improving bus facilities and maintaining easy access to the local shops. The majority of responses received from the public consultation agreed that Option 1 would be the most appropriate solution and as such this option is now being progressed by the Council. The majority of attendees supported the one-way Viking Way extension road and felt the proposals would draw people into the Village whilst easing congestion and improving parking.

6. Relevant Policies

6.1 LDF Core Strategy Development Plan Document

CP7 – Recreation and leisure
CP9 – Reducing the need to travel
CP10 – Sustainable transport
CP15 – Environmental management
CP17 – Design
CP18 – Heritage

6.2 LDF Development Control Policies Development Plan Document

DC18 – Protection of public open space, recreation and sports facilities
DC32 – The road network
DC34 – Walking
DC35 – Cycling
DC36 – Servicing
DC48 – Flood risk
DC49 – Sustainable design and construction
DC52 – Air quality
DC53 – Contaminated land
DC55 – Noise
DC58 – Biodiversity and geodiversity
DC60 – Trees and woodland
DC61 – Urban design
DC62 – Access
DC63 – Delivering safer places
DC68 – Conservation Areas
DC70 - Archaeology and Ancient Monuments

6.3 LDF Site Specific Allocations Development Plan Document

SSA14 - Rainham traffic management system

6.4 LDF Supplementary Planning Documents

Sustainable Design and Construction
Protecting and Enhancing the Borough's Biodiversity
Protection of trees during Development

6.5 London Plan

3C.1 - Integrating transport and development
3C.2 - Matching development to transport capacity
3C.4 - Land for Transport
3C.9 - Increasing the capacity, quality and integration of public transport to meet London's needs
3C.14 - Enhanced bus priority, tram and busway transit schemes
3C.19 - Local transport and public realm enhancements
3C.20 - Improving conditions for buses
3C.21 - Improving conditions for walking
3C.22 - Improving conditions for cycling
3D.14 - Biodiversity and nature conservation
4A.12 - Flooding
4A.13 - Flood risk management
4B.3 - Enhancing the quality of the public realm
4B.5 - Creating an inclusive environment
4B.6 - Safety, security and fire prevention and protection
4B.12 - Heritage conservation
4B.15 - Archaeology

London Plan SPG 'Accessible London'
London Plan SPG 'Land for Transport Functions'
London Plan SPG 'Sustainable Design and Construction'

6.6 Government Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 4 – Planning for Sustainable Economic Growth
Planning Policy Statement 5 – Planning for the Historic Environment
Planning Policy Statement 9 - Biodiversity and Geological Conservation
Planning Policy Guidance Note 13 – Transport
Planning Policy Statement 25 – Development and Flood Risk

7. Staff Comments

7.1 The issues arising from this application are: the principle of the development, design and visual impact, impact on the town centre and Rainham Conservation Area, impact on residential amenity and highways matters.

7.2 Principle of Development

- 7.2.1 As part of the adoption process of the Local Development Framework a number of sites have been identified which the Council considers are necessary in order to deliver the vision, objectives and policies of the Core Strategy. Within the Site Specific Allocation Development Plan Document (DPD) Policy SSA14 identifies sections of Bridge Road, Viking Way, Bridge Road, Upminster Road South and a portion of land through the Rainham Recreation Ground for the purposes of implementing the Traffic Management Scheme. Policy SSA14 advises that in order to improve traffic management through Rainham a new traffic management system will be introduced. Staff are of the view that the proposal would accord with the objectives of Policy SSA14 in that the proposed new roadway between Viking Way and Upminster Road South would enable the introduction of the aforementioned one-way system.
- 7.2.3 The proposed extension of Viking Way would pass through the Rainham Recreation Ground to link with Upminster Road South. The routing of the roadway would follow a different route to that envisaged when the Site Specific Allocation DPD was written. The plan included in the Site Specific Allocation DPD indicates that the new road would be routed further north eating into a greater portion of the existing open space. The proposal would see the new road follow a straighter and more southerly course through the recreation ground.
- 7.2.4 In terms of the loss of open space approximately 800 square metres would be lost by the construction of the proposed road. This equates to approximately 5% of the total area of Rainham Recreation Ground. Although the proposed road would follow a different route to that indicated in the Site Specific Allocation DPD, staff consider that the loss of open space would be comparable to that which would have been lost by the road following its originally intended route. Policy DC18 outlines that the Council will seek the retention and enhancement of all public open space. In this case the loss of open space is considered to be acceptable having regard to the provisions of Policy SSA14, which in turn will enable the Council to fulfil the core objectives of the Local Development Framework. Members may also wish to give weight to the fact that this proposal would enable the implementation of the wider Traffic Management Scheme and the associated benefits this would bring to the quality of the environment within Rainham Village.
- 7.2.5 Having regard to the above, staff are of the view that this application is consistent with the objectives of Policy SSA14 and would assist in meeting wider regeneration objectives for Rainham.
- 7.3 Design/Impact on Street scene
- 7.3.1 Policy DC61 advises that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The proposed roadway and associated works

would be undertaken as part of the wider Traffic Management System. In designing the extension of Viking Way the applicant has sought to play down the presence of the roadway as much as possible, while maintaining a safe pedestrian and vehicular environment. The visual impact of the roadway would be reduced by the use of high quality materials and landscaping. Public realm enhancements are planned for the new length of Viking Way and along Upminster Road South, using the Council's highway powers, which will be commensurate with the recommendations of the Rainham Village Public Realm Masterplan. At this stage the exact materials to be used in the construction of the footways is still under consideration. Staff are of the view that the proposed roadway and associated works, to form the new priority junction and enlarged bus stop area, would have an acceptable impact on the street scene. In the event that Members are minded to grant planning permission staff recommend that planning conditions are imposed to require the submission of a final landscaping scheme and details of surfacing materials.

7.3.2 The section of new roadway forming the extension of Viking Way would be adopted by the Council as public highway and as such the road would be lit using conventional street columns. The lighting columns do not specifically require planning permission as they would be installed using the Council's highway powers.

7.4 Heritage Implications

7.4.1 Policy DC68 states that the character of Conservation Areas will be preserved or enhanced. Despite significant modern development surrounding Rainham Village, the Conservation Area retains a village character. The application site falls outside of the Conservation Area and staff are of the view that the proposals would not have an adverse effect on its special character and appearance. The proposed extension of Viking Way would enable the introduction of a one-way traffic management system through the village. With vehicular traffic in an eastbound direction being redirected via Viking Way the amount of traffic passing through the village centre would substantially decrease. Staff are of the view that the removal of some of the traffic from the centre of village has the potential to improve the quality of the historic environment and enhance the character of the Conservation Area. Although not part of this planning application the proposed related highway works to Upminster Road South would significantly improve the quality of the public realm. Staff therefore consider that the impact of the proposed development meets the test of preserving the character of the Rainham Conservation Area. In this respect it is not therefore considered that there is a conflict with the provisions of Policy DC68 or PPS 5.

7.4.2 The desk based cultural heritage assessment submitted in support of this application concludes that the site has a low potential for the survival of archaeological features dating from the Palaeolithic period to the post Medieval period. Furthermore based upon available evidence, the

development of the site is assessed to have a low potential for unknown archaeological remains. Notwithstanding this, English Heritage has requested that a planning condition to secure a programme of archaeological work is imposed in the event that planning permission is granted. Staff are of the view that subject to this condition the proposal would make satisfactory provision for the preservation and recording of any unknown archaeology in accordance with Policy DC70.

7.5 Impact on Amenity

7.5.1 The proposed works to the existing bus stop in Viking Way and the creation of a new priority junction with Tesco would not in staff's view have a harmful impact upon amenity.

7.5.2 To the rear of nos. 1 to 16 Parkway the existing portion of Viking Way and the existing public car park would be reconfigured to provide a new priority junction with Tesco, space for the extension of Viking Way and a new public car park. The proposed works in this location would be fairly minor given that the majority of the site is already hard surfaced. The proposal would result in the loss of some landscaping features from within the application site to the rear of nos. 1 to 12 Parkway. Notwithstanding this staff are of the view that the proposed works would not be harmful to visual amenity.

7.5.3 The proposed extension of Viking Way would pass through Rainham Recreation Ground to the south of which is a terrace of residential dwellings fronting onto Upminster Road South (nos. 55 to 73). The outlook from the rear of these properties would clearly change as a result of this proposal. Notwithstanding this the proposed road would be separated from the rear boundary of these properties by between 9 and 23 metres. In addition to this the existing established landscaping to the rear boundary of these properties within the recreation ground would be retained thus providing a degree of screening.

7.5.4 The proposal would see the existing eastbound traffic from Upminster Road South being directed along Viking Way. The proposal would therefore introduce additional traffic and consequently noise along Viking Way. In respect of the impact this would have on adjoining residential properties fronting Parkway and Upminster Road South staff are of the view the overall level of noise in the locality would not increase as a result of this proposal. The existing portion of Viking Way is already subject to a large number of vehicle movements to and from the Tesco store and filling station which both open 24 hours a day Monday to Saturday. It is acknowledged that the proposal would result in additional noise to the rear of nos. 55 to 73 Upminster Road South as these properties presently back onto the Rainham Recreation Ground. These properties are however already subject to traffic noise from the existing two way traffic which runs along Upminster Road South. This proposal would affectively shift vehicular noise from the front of these properties only to be both to the front and rear. In reaching a conclusion as to whether the noise impact of this proposal would be harmful

Members will wish to give consideration to the fact that the site is situated within a town centre location where a certain amount of activity is to be expected. In view of the above staff are of the view that the impact in terms of potential noise disturbance would be acceptable.

7.6 Highways Implications

- 7.6.1 Upminster Road South is presently the main route through Rainham Village. It joins Bridge Road and Broadway in the west just south of the Viking Way roundabout with residential areas to the east. The primary purpose of the proposed Viking Way extension is to provide access for traffic wishing to travel in an eastbound direction from Bridge Road to Upminster Road South, which in turn allows for the introduction of one-way working on Upminster Road South.
- 7.6.2 By introducing one-way working to Upminster Road South the volume of traffic entering Viking Way from Bridge Road would increase due to the reallocation of traffic that previously travelled eastbound on Upminster Road South. It is estimated that between 50% and 60% of the total weekday traffic on Upminster Road South travels in an eastbound direction, and on the weekends the volume is closer to 70%. As this traffic would be redirected to Viking Way it would result in a considerable traffic volume reduction in this section of Upminster Road South.
- 7.6.3 Staff are of the view that the proposed improvements to the layout and operation of Viking Way and Upminster Road South would assist in easing the movement of all road users through the area, simplifying usage and increasing visibility. In order to counteract any detrimental effects of the increased traffic on Viking Way, raised tables are proposed to encourage pedestrians to cross in the most appropriate and safe locations, increase the awareness of drivers and to reduce traffic speeds. In addition to the raised tables, the geometry of Viking Way has been planned in such a manner that would contribute to calming traffic speeds along it.
- 7.6.4 The proposal would assist in improving pedestrian access to and from the Tesco store with the creation of new footways to either side of the proposed road. The existing zebra crossing at the entrance to the Tesco would be retained. A shared use pathway would be provided to the northern side of the Viking Way extension which staff consider would improve conditions for cycling. The proposed redirection of eastbound car and bus traffic to Viking Way would in turn enable pedestrian access and cycling conditions through Rainham Village to be improved. Although not forming part of this planning application footway improvements are proposed in the form of additional crossing points, footway widening and the pedestrianisation of the existing slip road at the junction of Upminster Road South and the Broadway.
- 7.6.5 The Council's Highway Engineers are satisfied with the proposals in respect of pedestrian and highway safety subject to planning conditions requiring the new road to be subject to the full road safety audit procedure. Staff are

of the view that the proposed roadway is fully consistent with Policy DC32 in that it would improve public transport accessibility, contribute to regeneration objectives and have net environmental benefits. The proposed extension of Viking Way would also enable conditions to be improved for walking and cycling which meets with the objectives of the Local Development Framework and the provisions of London Plan policies 3C.21 and 3C.22.

7.6.6 The proposed introduction of the Rainham Traffic Management System would enable in the re-routing of buses on routes 165 and 287. Those buses travelling in an eastbound direction would be re-routed via Viking Way and over the new portion of road to Upminster Road South. Those buses travelling in a westbound direction would continue to travel along Upminster Road South. At the present time buses travelling along Upminster Road South can be delayed by traffic congestion caused by illegal parking. Staff are of the view that the proposed extension of Viking Way would improve the flow of buses through the village and potentially enable faster journey times to be completed.

7.6.7 In order to facilitate the routing of buses on routes 165 and 284 via Viking Way this application proposes the alteration of the existing bus stop on the northern side of Viking Way adjacent to Tesco. The proposal would see the existing carriageway serving the bus stop widened and the central island area enlarged. Although not specifically requiring planning permission waiting shelters would be re-provided in consultation with London Buses. Staff are of the view that this proposal would improve conditions for buses which would meet the objectives of London Plan Policy 3C.20.

7.6.8 The proposal would result in the reconfiguration of the existing public car park adjacent to the Tesco store car park. This car park presently holds 54 cars and would be reduced in size to hold 32 cars. At the present time this car park is underutilised and as such staff are of the view that a reduction in the number of spaces available would not be harmful. As a result of the highway works being undertaken forward separately from this planning application 14 additional parking bays are to be provided along Upminster Road South which would help to mitigate against the loss of parking.

7.7 Biodiversity

7.7.1 The proposed extension of Viking Way and associated works would result in the loss of some amenity grassland, trees and shrubbery. The areas of landscaping which would be removed are however judged to be of low ecological value. The tree survey submitted in support of this application gives a detailed account of the health of each tree within the application site. The document explains that in order for the new roadway to be successfully developed a total of thirteen trees would need to be removed. The majority of the trees which would be affected by the proposal were provided as part of the development of the site by Tesco and as such are predominantly

young trees. None of the trees which would be affected are judged to be of sufficient quality to justify protection by a tree preservation order.

7.7.2 The proposed loss of some of the existing trees on the site would reduce the habitat value of the site and Members could take the view that this would conflict with Policy DC58 which seeks to protect and enhance biodiversity throughout the Borough. Members will however, wish to give weight to the wider benefits of the proposals in terms of improving traffic management through the village and accessibility for pedestrians and cyclists. This proposal would provide an opportunity for the replacement of some trees and landscaping and it is recommended that details of this are secured via planning condition. Having regard to this and the potential benefits that the proposal could have for the regeneration of Rainham, staff are of the view that the proposal is acceptable.

7.8 Flood Risk and Drainage

7.8.1 The application site is situated within flood zones 1, 2 and 3a (Tidal) and zone 2 (Fluvial) as identified in Havering's Strategic Flood Risk Assessment. A site specific Flood Risk Assessment has therefore been submitted in support of this application. Government guidance contained within PPS25 requires that a risk based sequential test is applied at all stages of the planning process with the aim of steering new development to areas with the lowest possibility of flooding. Given the nature of the proposal the roadway can only reasonably be located in the location proposed and as such the sequential test is considered to be satisfied. The Environment Agency has been consulted on this application and at the time of writing this report for committee raise objection to the proposal. The Environment Agency's objection is not based on the principle of the development but on the level of detail supplied in the applicant's flood risk assessment. In view of this discussions between the Environment Agency and the applicant were ongoing at the time of writing this report for committee. It is anticipated that by the committee an acceptable outcome will be reached.

7.8.2 Policy DC48 requires that sustainable urban drainage systems are considered as part of development proposals. The proposed development includes an increase in the total amount of impermeable area therefore the application proposes measures to mitigate against potential increased flood risk. A sustainable drainage system in the form of soakaways is proposed, which would seek to mimic the existing site drainage by draining runoff into the ground. Runoff from a small portion of the existing hardstanding is also proposed to drain into the soakaway providing betterment compared to the existing condition for runoff into the existing piped drainage system. Staff are of the view that subject to the Environment Agency being satisfied the proposal complies with the requirements of Policy DC48 in respect of sustainable drainage and flood risk.

7.9 Other matters

- 7.9.1 Members will be aware that sustainability is high on the Council's agenda as part of its growing commitment to the wider 'green' agenda. Staff are of the view that this proposal would contribute to the Council's aspirations for sustainable transport in the Borough by reducing congestion within Rainham Village and enabling faster journey times for local buses.
- 7.9.2 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect.
- 7.9.3 The proposed extension of Viking Way would necessitate the relocation of the existing children's play area within the Rainham Recreation Ground. It is proposed that the play area be relocated approximately 10 metres further north of its current location. At this stage the exact siting and nature of the play area has not been decided although it is likely that the existing equipment will be reused. In view of this a planning condition is recommended to require the submission of the final details. A letter of representation makes mention of the proximity of the proposed road to the children's play area. In order to reduce potential conflict with traffic the play area would be enclosed by a fence as existing. It is further proposed that a bund is constructed between the road and the recreation ground although the bund is not being specifically applied for as part of this application.
- 7.9.4 The proposal has the potential to result in some disruption, particularly to vehicular traffic, during construction of the new priority junction with Tesco and the extension of Viking Way. The applicant has advised that they will seek to keep such disruption to a minimum by providing a temporary access to the Tesco car park through the layby previously used for recycling drop-off on Viking Way. The movement of vehicles through the Tesco car park would continue in a similar manner to the existing arrangements. Deliveries to Tesco should not be affected given that there is a separate access from Bridge Road for this purpose. Staff raise no objections to the temporary access and are of the view that this would be sufficient to ensure that Tesco is able to operate successfully whilst the proposed works are undertaken.

8. Conclusion

- 8.1 In conclusion, there is no objection in principle to the proposals having regard to Policy SSA15. The proposal is considered to be acceptable in terms of design and would not have an adverse impact on the Rainham Conservation Area. Staff are of the view that the proposal would contribute to improved traffic management through Rainham Village and assist in delivering the Council's vision for the borough as set out in the Local Development Framework. The loss of open space and impact of the proposal on neighbouring properties is judged to be acceptable. The proposal is considered to be acceptable in all other respects, subject to further comments from the Environment Agency, and it is therefore recommended that planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on its own merits and independently from the Council's interest as applicant and partial owner of the site. A deed of variation to an existing legal agreement completed at the time the Tesco store was approved will be required.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. The proposed development would improve accessibility through Rainham Village for all members of the local community.

BACKGROUND PAPERS

Application form, plans and supporting statements received on 15th October 2010 and additional information received on October 2010.



**REGULATORY
SERVICES
COMMITTEE**

REPORT

16 December 2010

Subject Heading:

P1574.10 - Land to the north of Rainham Station bounded by Ferry Lane and Wennington Road

Amendments to the part implemented public transport interchange, including the widening of the former station approach road and construction of a new boundary wall and barrier to the existing Phoenix Public House car park, together with alterations to the alignment of the approved interchange road and junction and lay-by arrangements on Ferry Lane (Application received 2nd November 2010)

Report Author and contact details:

Helen Oakerbee (Planning Control Manager) 01708 432800

Policy context:

Local Development Framework
London Plan
National Planning Policy

Financial summary:

None

The subject matter of this report deals with the following Council Objectives

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| Clean, safe and green borough | [X] |
| Excellence in education and learning | [X] |
| Opportunities for all through economic, social and cultural activity | [X] |
| Value and enhance the life of every individual | [X] |
| High customer satisfaction and a stable council tax | [X] |

SUMMARY

This application seeks planning permission for amendments to the previously approved roadway on land adjacent to Rainham Station which, when fully completed, will provide a new public transport interchange. This application forms part of a wider project which will also include the construction of a new mixed-use building on the site with a new public space both encircled by the proposed interchange. This application stems from the Council's vision for the area, and is an integral part of the Rainham Compass strategy and Rainham Village masterplan.

The planning issues are set out in the report below and include issues relating to the principle of the development, design and visual impact, impact on the town centre and Rainham Conservation Area and access and servicing arrangements. Staff are of the view that the proposal is acceptable and it is recommended that permission be granted subject to conditions.

RECOMMENDATIONS

It is recommended that planning permission be granted subject to the following conditions:

1. Time limit - The development to which this permission relates must be commenced not later than three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. Accordance with plans - The development hereby permitted shall not be carried out otherwise than in complete accordance with the approved plans, particulars and specifications.

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted. Also, in order that the development accords with the

LDF Development Control Policies Development Plan Document Policy DC61.

3. Footway and carriageway materials - Unless otherwise agreed in writing by the Local Planning Authority the development hereby approved shall be constructed using the materials specified on drawing number 1550/50/009 revision K dated June 2009.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

4. Materials of the proposed wall - Before any of the development hereby permitted is commenced, a sample of the brick to be used in the construction of the new boundary wall to the Phoenix Public House car park, together with details of the proposed face bond, pointing and any coping stones, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the wall shall be constructed in accordance with the approved details.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

5. Hours of construction - No construction works or deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning authority.

Reason: To protect residential amenity and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Stage 2 Road Safety Audit - Prior to the commencement of any works pursuant to this permission the applicant shall submit for the written approval of the Local Planning Authority a Stage 2 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges and any recommendations arising shall be reasonably dealt with. The findings of the Audit shall be implemented in accordance with the approved details prior to the opening of the access and associated works, or as otherwise allowed in the audit.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

7. Stage 3 Road Safety Audit - Prior to the opening of the transport interchange pursuant to this permission, the applicant shall submit for the written approval of the Local Planning Authority, a Stage 3 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges, and any recommendations arising shall be reasonably dealt with. The findings of the Audit shall be implemented in accordance with the approved details prior to the opening of the access and associated works, or as otherwise allowed in the audit.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

8. Stage 4 Road Safety Audit - At 12 and 36 months following the opening of the transport interchange, the applicant shall submit for the written approval of the Local Planning Authority a Stage 4 Road Safety Audit as set out in the technical standard HD19/03 Road Safety Audit as contained in the Design Manual for Roads and Bridges and any recommendations arising shall be reasonably dealt with.

Reason: To ensure the interests of the travelling public and are maintained and to comply with Policies CP10, CP15, CP17 and DC61 of the LDF Core Strategy and Development Control Policies Development Plan Document.

INFORMATIVES

1. To aid the delivery of safer, stronger, sustainable development, the services of the local Police Crime Prevention Design Advisor are available free of charge through Havering Development and Building Control or Romford Police. He is able to provide developers with impartial professional designing out crime advice, which takes account of local conditions and risks.
2. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been submitted, considered and agreed. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 432574 to commence the Submission/Licence Approval process.
3. Reason for Approval:

The proposal is considered to be in accordance with Policy SSA15 of the LDF Site Specific Allocations Development Plan Document, Policies CP7, CP9, CP10, CP15, CP17, CP18, DC18, DC32, DC34, DC35, DC36, DC48, DC49, DC52, DC53, DC55, DC58, DC59, DC60, DC61, DC63, DC68 and DC70 of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document as well as the

provisions of Policies 3C.1, 3C.2, 3C.4, 3C.9, 3C.14, 3C.19, 3C.20, 3C.21, 3C.22, 3D.14, 4A.12, 4A.13, 4B.3, 4B.5, 4B.6, 4B.12 and 4B.15 of the London Plan.

REPORT DETAIL

1. Site Description

1.1 The application site comprises a crescent shaped parcel of land approximately 0.19 hectares in area owned by the London Thames Gateway Development Corporation (LTGDC). The site forms part of a larger piece of land that stretches up to Wennington Road. Part of the application site has recently been developed by the Council with the formation of a new roadway which will when completed comprise part of the forthcoming Rainham transport interchange. The remaining portion of the application comprises part of the car park of the Phoenix Public House.

1.2 The site sits on the southern edge of Rainham Village, immediately north of the Railway Station (with the London to Tilbury Southend Line and Channel Tunnel Rail Link tracks to the south). Its nearest neighbours are a five storey block of flats and Royal Mail sorting office to the eastern side of Ferry Lane, the listed garden wall along the north side of Wennington Road (which forms part of Rainham Hall and its garden) and the Phoenix Public House to the west of the former station approach road.

1.3 The site and surrounding area are within the Rainham Conservation Area, which contains a number of important Listed and locally listed buildings, including;

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|---|-----------|
| Church of St Helen and St Giles | Grade I |
| Rainham Hall, forecourt railings, gates and piers | Grade II* |
| Rainham Lodge and stable block of Rainham Hall | Grade II* |
| Rainham Hall garden wall between Nos. 15 and 37 Wennington Road | Grade II |
| No. 29 Broadway, Redberry | Grade II |
| The Vicarage | Grade II |
| The War Memorial | Grade II |
| K6 Telephone Kiosk | Grade II |

1.4 In addition to forming part of the Rainham Conservation Area, the site and adjoining land to the north, east and west are designated as being part of the Rainham Minor District Centre. The site is also located in the London Riverside area of the LTGDC Planning Functions Area, although due to the size of the application site the London Borough of Havering is the Local Planning Authority for this proposal.

2. Background Information

- 2.1 Members will be aware that planning permission was granted in October 2009 for the construction of a one-way road between the former station approach road and Ferry Lane to create a new public transport interchange. The new road which has now been partially constructed will incorporate provision for two bus stops and two bus stands. The forthcoming public transport interchange forms part of a larger project that includes the construction of a new mixed use building incorporating a public library, lifelong learning centre and community facilities including space for a children's play group, toilet facilities for bus drivers, a retail shop, café and 16 residential flats. Planning permission for this building was granted by the LTGDC in July 2010 and construction works are expected to commence in early 2011.
- 2.2 This application stems from the Council's vision for the area, and is an integral part of the Rainham Compass strategy. This vision seeks to bring together ambitious goals and aspirations for Rainham as an important part of the Council's 20 year Living Ambition to improve quality of life across the whole borough.

3. Description of Proposal

- 3.1 This application seeks full planning permission for amendments to the part implemented public transport interchange, including the widening of the former station approach road and construction of a new boundary wall and barrier to the existing Phoenix Public House car park, together with alterations to the alignment of the approved interchange road and junction and lay-by arrangements on Ferry Lane.
- 3.2 This application seeks permission for the widening of the former station approach road and the construction of new boundary wall. This amendment involves incorporating a strip of land from the existing Phoenix Public House car park and from the existing pavement to provide for a wider road and specifically a left-turning lane at the junction with The Broadway. In detail, the proposals involve the demolition of an existing low brick wall and the creation of a tapering strip of carriageway (measuring 1.5 metres in width at the junction with The Broadway), with a 2 metre wide footpath along the western edge of the wider road and a pedestrian refuge (already built) at the junction with The Broadway. The proposals would require the replacement of the existing light column on the west side of the junction, together with the repositioning of the existing bench and planting tub that are currently located on land immediately to the west of the existing junction. The proposals also include the construction of a replacement 1 metre high brick stepping retaining wall along the new boundary with the public house car park (a distance of approximately 31 metres) and a 1 metre high brick wall along The Broadway (3 metres in width), together with a new barrier at the existing entrance to the Phoenix Public House car park.
- 3.3 At the time when the interchange roadway was constructed, the curvature of the road through the site and the new junction onto Ferry Lane were provided at a slightly different radius in order to improve the circulation of

buses. In addition during construction the discovery of a fibre-optic cable and junction box along the west side of Ferry Lane resulted in the proposed lay-by being reduced in length to 16 metres from the 28 metres previously approved. In view of these alterations the application also seeks retrospective planning permission to regularise these changes.

4. Relevant History

- 4.1 P0426.96 - Residential development to form 22 no. one and two bedroom flats - refused and allowed on appeal
- 4.2 P1464.02 - Care Home (Class C2 use) – refused.
- 4.3 P0565.05 - Residential development to form 22 flats (renewal of planning permission reference P0426.96) – refused.
- 4.4 P0958.09 - The construction of a one-way east-bound road incorporating a footpath on its northern edge between the former station approach road and Ferry Lane (with provision for two bus stops and two bus stop stands), alterations to these existing roads (including the construction of a lay-by on the western side of Ferry Lane), supporting embankments and associated lighting (4x8m columns) to create a public transport interchange - approved.
- 4.5 U0018.09 - The construction of a part-2 and part-5 storey building comprising a public library, lifelong learning centre and community facilities including space for a children's playgroup(D1), a W.C facility for bus drivers, retail shop(A1), cafe (A3) and 16 residential flats (C3), together with a new public open space, landscaping and cycle parking - approved.

5. Consultations/Representations

- 5.1 The application has been advertised and neighbour notification letters sent to 85 local addresses with no letters of representation being received.
- 5.2 The Borough Crime Prevention Design Advisor considers that the proposal does not present any material crime prevention issues.
- 5.3 The London Fire Brigade are satisfied with the proposal in respect of access for fire appliances and the provision of water.
- 5.4 The Council's StreetCare department raise no objection subject to the use of planning conditions.
- 5.5 Transport for London advise that they have no comments to make on the application other than that the revised layout reflects their requirements/advice.
- 5.6 The Environment Agency raises no comments.

5.7 Network Rail welcomes the amendments to the scheme and has no objections.

5.8 The Health and Safety Executive do not raise an objection to the proposal.

6. Relevant Policies

6.1 LDF Core Strategy Development Plan Document

CP9 – Reducing the need to travel
CP10 – Sustainable transport
CP15 – Environmental Management
CP17 – Design
CP18 – Heritage

6.2 LDF Development Control Policies Development Plan Document

DC32 – The road network
DC34 - Walking
DC35 - Cycling
DC37 – Safeguarding
DC48 – Flood risk
DC49 – Sustainable design and construction
DC53 – Contaminated land
DC58 – Biodiversity and geodiversity
DC60 – Trees and woodland
DC61 – Urban design
DC62 – Access
DC63 – Delivering safer places
DC67 – Buildings of heritage interest
DC68 – Conservation Areas
DC70 - Archaeology and Ancient Monuments

6.3 LDF Site Specific Allocations Development Plan Document

SSA15 - Rainham Station Transport Interchange and Civic Square

6.4 LDF Supplementary Planning Documents

Sustainable Design and Construction
Protecting and Enhancing the Borough's Biodiversity
Protection of trees during Development

6.5 London Plan

3C.1 - Integrating transport and development
3C.2 - Matching development to transport capacity
3C.4 - Land for Transport
3C.9 - Increasing the capacity, quality and integration of public transport to meet London's needs

- 3C.14 - Enhanced bus priority, tram and busway transit schemes
- 3C.19 - Local transport and public realm enhancements
- 3C.20 - Improving conditions for buses
- 3C.21 - Improving conditions for walking
- 3C.22 - Improving conditions for cycling
- 4A.12 - Flooding
- 4A.13 - Flood risk management
- 4A.3 - Sustainable design and construction
- 3D.14 - Biodiversity and nature conservation
- 4B.3 - Enhancing the quality of the public realm
- 4B.5 - Creating an inclusive environment
- 4B.6 - Safety, security and fire prevention and protection
- 4B.12 - Heritage conservation
- 4B.15 - Archaeology

London Plan SPG 'Accessible London'
London Plan SPG 'Land for Transport Functions'
London Plan SPG 'Sustainable Design and Construction'

6.6 Government Guidance

Planning Policy Statement 1 – Delivering Sustainable Development
Planning Policy Statement 4 – Planning for Sustainable Economic Growth
Planning Policy Statement 5 – Planning for the Historic Environment
Planning Policy Statement 9 - Biodiversity and Geological Conservation
Planning Policy Guidance Note 13 – Transport
Planning Policy Statement 25 – Development and Flood Risk

7. **Staff Comments**

7.1 The issues arising from this application are: the principle of development, the impact of the alterations on the special character and appearance of the Rainham Conservation Area, the impact on the character and setting of nearby listed buildings, the impact of the proposal on the character of the street scene and local environment generally, amenity issues, highways issues, sustainability and community safety.

7.2 Principle of Development

7.2.1 The majority of the application site is designated in the Council's Local Development Framework as a Site Specific Allocation. Policy SSA15 advises that in order to increase the attractiveness of public transport, improve community facilities and the public realm, and to signify the area's civic importance the redevelopment of Rainham Station and the land to the north will be allowed subject to the requirements set out in the policy. Policy SSA15 further advises that a new public transport interchange will be provided with the aim of delivering a new mixed used building and new public space. Whilst this current application only relates to alterations of the previously approved scheme staff are of the view that the proposal would contribute to the successful implementation of the interchange and this in

turn would contribute to the objectives of Policy SSA15. Staff are also of the view that the proposal would comply with the London Plan policies for improving public transport accessibility and conditions for buses.

7.3 Design/Impact on Street scene

7.3.1 Policy DC61 advises that planning permission will only be granted for development which maintains, enhances or improves the character and appearance of the local area. The works which have already been undertaken to the new interchange roadway, the new junction with Ferry Lane and to the lay by on the west side of Ferry Lane are judged to be acceptable in terms of siting and design. The works have been carried out using the same materials as those already used throughout the interchange to date and these are considered to be acceptable.

7.3.2 The proposed widening of the former station approach road and the construction of new boundary wall adjacent to the Phoenix Public House are considered to be acceptable in terms of siting and design. The proposal would not result in the loss of any significant landscaping features. In keeping with the village master plan proposals the materials to be used would reflect the historic qualities of Rainham. Materials would include York stone flags with granite kerbs to match those already used on the interchange works completed to date. The proposed new boundary wall would be constructed from a dark, discrete brick in the same bond and coping detail as the churchyard, close by the site.

7.3.3 The proposals involve replacing the existing light column on the corner of The Broadway and the former station approach road with a replacement 8 metre high column (painted black). The proposed light column would be of the same design as those that have been erected as part of the interchange works and, as such, staff raised no objection to this aspect of the application.

7.4 Conservation Area Implications

7.4.1 Policy DC68 states that the character of Conservation Areas will be preserved or enhanced. Furthermore planning permission for development within a Conservation Area will only be granted where it preserves or enhances the character of the Conservation Area and is well designed. In reaching a conclusion on the acceptability of the previous application staff gave consideration to the Rainham Conservation Area Character Appraisal which identifies the subject site as having a negative impact on the Conservation Area. Staff concluded that the proposed works to form the new transport interchange would enhance this part of the Conservation Area by creating a sense of place in a way that is consistent with the historic traditions of the area. Staff are of the view that those works already carried out, for which retrospective permission is now being sought, have an acceptable impact on the Conservation Area. In the case of the proposed widening of the former station approach road staff are of the view that these works would also have an acceptable impact on the Conservation Area. At

the present time the former station approach road is judged to be in a poor condition and has a somewhat run down appearance. Staff are of the view that the proposed new brick wall, along side the widened road and the continuation of the wall along the short Broadway frontage, would help to improve the quality of this space. In view of this and the quality of the materials proposed, staff are of the view that the proposal would meet the test of preserving or enhancing the character of the Rainham Conservation Area.

7.5 Listed Building Implications

7.5.1 There are a number of listed buildings within close proximity to the application site. The closest of these is the grade II listed garden wall of Rainham Hall on the opposite side of Wennington Road. Rainham Lodge, Rainham Hall and its gate piers and railings, which are all grade II* listed, are visible from the site, and vice versa. In granting permission for the previous application staff concluded that the interchange would affect the setting of these structures. The proposed alterations to the previously approved planning permission are judged to be of a minor nature and not have a negligible impact on the setting of nearby listed buildings. In the respect of the proposed widening of the former station approach road staff are of the view that these works, together with the wider public realm improvements being undertaken as part of the transport interchange works, would enhance the setting of the adjacent listed buildings. Members may agree that the proposed works would provide a coherent setting for the nearby listed buildings which would have a positive impact on their setting thus complying with the provisions of Policies CP18 and DC67.

7.6 Impact on Amenity

7.6.1 Staff are of the view that the proposed works put forward by this application would not have a harmful impact on the amenity of nearby residential properties.

7.7 Highways Implications

7.7.1 Members may recall that at the time planning permission was granted for the new public transport interchange Transport for London raised objection to the proposal predominantly on highway safety grounds. Transport for London's concerns related to the fact that buses entering the former station approach road adjacent to The Phoenix Public House would need to track onto the opposite side of the road. In order to address this concern the applicant now proposes to widen the former station approach road by utilising part of The Phoenix Public House car park. The illustrative vehicle tracking drawings submitted in support of the application show that buses entering this road would no longer need to track into an opposing traffic lane thus overcoming Transport for London's principal concern.

7.7.2 As part of the interchange works already completed a 2 metre footway has been constructed to the southern side of the former station approach road.

This proposal would see the introduction of a further footway to the northern side of the road. Given that the width of the existing junction onto the Broadway would be increased a new pedestrian refuse has also been provided to assist pedestrians. Staff are of the view that the proposals would ensure that pedestrian movement along the Broadway is maintained.

7.7.3 In respect of those work already undertaken without the benefit of planning permission staff consider that these are acceptable in highway terms. The alterations which have been undertaken to the alignment of the approved interchange road will assist to ease the movement of buses into and along the interchange road. The works already undertaken to amend the kerb line at the junction with Ferry Lane would enable buses to turn left without tracking into the opposing traffic lane. The new lay-by which has been provided to the west side of Ferry Lane has been constructed at a shorter length than originally intended owing to the discovery of underground cables. The lay-by is intended to have a dual purpose in providing 'kiss and ride' facilities for the station and servicing space for the forthcoming Library and Lifelong Learning Centre building. Staff are of the view that the reduction in the length of this lay-by is acceptable and raises no material highway issues for this application. It is expected however that the servicing strategy for the approved Library and Lifelong Learning Centre will need to be adjusted. A planning condition attached to the building planning permission would provide a mechanism for dealing with this.

7.7.4 The Council's Highway Engineers are satisfied with the proposals in respect of pedestrian and highway safety subject to a planning condition requiring the interchange to be subject to a full road safety audit. Staff are of the view that the amendments sought to the previously approved scheme are acceptable and consistent with the provision of Policy DC32.

7.7.5 The proposal would result in the existing car park for the Pheonix Public House being reduced in size. At the present time the car park has a wide access with parking taking place in an informal manner against the southern boundary. The proposed reduction in the size of the car park would reduce the width of the access area but would not decrease the amount of available parking. Staff are of the view that the reduced size of the car park would be acceptable and would enable the car park to function adequately.

7.8 Other matters

7.8.1 The application site is situated within flood zone 3a (Tidal) and zone 2 (Fluvial) as identified in Havering's Strategic Flood Risk Assessment. A site specific Flood Risk Assessment was submitted as part of the previous application and found to be acceptable subject to the imposition of planning conditions requested by the Environment Agency. The changes sought to the previous scheme through this application are judged to be of a minor nature and would not increase the potential for increased flood risk. Staff are of the view therefore that the proposal complies with the provisions of Policy DC48.

7.8.2 Policy DC63 requires new development to address safety and security in the design of new development. The proposal is considered acceptable in principle in this respect. Lighting for the interchange was approved as part of the previous application and staff are of the view that this would ensure a safe environment for bus users, other pedestrians and cyclists.

8. Conclusion

8.1 This application relates to a number of amendments to the previously approved new transport interchange on land to the north of Rainham Station. The most notable of these amendments is the widening of the former station approach road to provide greater space for buses when entering from the Broadway. The proposals are considered to be acceptable in terms of their design and impact on the Rainham Conservation Area and adjacent listed buildings.

IMPLICATIONS AND RISKS

Financial implications and risks:

None.

Legal implications and risks:

This application is considered on merits and independently from the Council's interest as applicant.

Human Resources implications and risks:

None.

Equalities implications and risks:

The Council's planning policies are implemented with regard to Equalities and Diversity. This proposal concerns the forthcoming public transport interchange which once completed will improve the accessibility of public transport for all members of the community.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.

Regulatory Services Committee, 16 December 2010

3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions and Standard Green Belt reason for refusal.
5. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.
6. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
7. The relevant planning history.



Havering
LONDON BOROUGH

Item 14

Regulatory Services Committee

16 December 2010

OUTSIDE STATUTORY PERIOD

| Page No. | Application No. | Ward | Address |
|-----------------|------------------------|--------------|---|
| 1 - 6 | P0977.10 | Romford Town | 226 -228 South Street Land rear of 238 & 240 South Street Romford |

REGULATORY SERVICES COMMITTEE
16th December 2010
OUTSIDE STATUTORY PERIOD

| | | |
|-------------------------|--|---------------------------------------|
| APPLICATION NO: | P0977.10 | |
| WARD : | Romford Town | Date Received: 3rd August 2010 |
| ADDRESS: | 226-228 South Street Land rear of 238 & 240 South Street Romford | |
| PROPOSAL: | Change of use of part of car park to form hand car wash. | |
| DRAWING NO(S): | 866/01 and 866/02 | |
| RECOMMENDATION : | It is recommended that planning permission be GRANTED subject to conditions given at the end of the report. | |

SITE DESCRIPTION

The application site is situated to the rear (south west) of nos. 238 and 240 South Street. The site comprises a vacant parcel of land which runs between the rear of properties fronting South Street and the River Rom. The application site forms part of a larger site which was once a builder's yard but has since 1993 been in use as a restaurant (currently The Brickyard) with several smaller retail units. The site is presently completely hard surfaced and has most recently used for occasional parking in conjunction with the restaurant and retail uses. Access to the application site is through the car park of the restaurant.

To the north and east of the site are predominantly two storey semi-detached dwellings fronting onto South Street with conventional rear gardens. To the west and south of the site is the culvert which contains the River Rom. Beyond the river to the west is the Homebase store and to the south is the Seedbed Centre, an estate of small commercial buildings in office and light industrial use. To the south east of the site, between the River Rom and the properties fronting South Street, is an area of overgrown land which appears to be enclosed by a concrete fence with no access. It is possible that this parcel of land was also used in conjunction with the former builder's yard at some point in the past.

DESCRIPTION OF PROPOSAL

The application seeks planning permission for a change of use of the site to form a hand car wash. The applicant has advised that the proposed hand car wash would operate daily between 0900 and 1900. The washing of vehicles would take place in an area immediately to the south west of nos. 238 and 240 South Street. Access to the car wash would be taken through the existing car park at the rear of nos. 222-226 from Oldchurch Road. The existing vehicular crossover for the car park would be utilised for car wash traffic. The applicant has advised that the washing of vehicles would involve the use of jet washer equipment.

RELEVANT HISTORY

There is no planning history relevant to this site.

CONSULTATIONS/REPRESENTATIONS

Neighbour notification letters have been sent to 37 adjoining occupiers with no letters of representation being received.

Councillor Curtin has raised objection to the proposal on behalf of adjoining residents. Councillor Curtin raises objection to the proposal on highways grounds, noise, fumes and a loss of privacy.

REGULATORY SERVICES COMMITTEE
16th December 2010
OUTSIDE STATUTORY PERIOD

The Environment Agency recommends that a planning condition is imposed in respect of a scheme of foul water drainage.

RELEVANT POLICIES

Policies DC11 (non-designated sites), DC32 (the road network), DC33 (car parking), DC48 (flood risk), DC51 (water supply, drainage and quality), DC52 (air quality), DC55 (noise) and DC61 (urban design) of the Local Development Framework Core Strategy and Development Control Policies Development Plan Document are material planning considerations. Policies ROM18 (River Rom) and ROM20 (urban design) of the Romford Area Action Plan Development Plan Document are also relevant as are Policies 3C.23 (parking strategy) and 4B.1 (design principles) of the London Plan.

National policy guidance set out in Planning Policy Statement 1 Delivering Sustainable Development and Planning Policy Guidance Note 13 Transport are also relevant.

STAFF COMMENTS

The issues arising from this application are the principle of development, design/street scene issues, impact on amenity and parking/highway issues.

PRINCIPLE OF DEVELOPMENT

The application site is situated within the boundary of the Romford Area Action Plan. The site is not however designated for a particular land use therefore the strategy is such that the Council will generally require the redevelopment for housing of commercial sites which become available for development. In case where this is not feasible Policy DC11 states that the Council's main concern will be to encourage environmental improvements in conjunction with a commercial redevelopment of the site.

In this case the application site is presently vacant and entirely hard surfaced having most recently been in use as a parking area. The proposal would provide an interim use of the land until such time as the land comes forward for redevelopment. On this basis staff raise no objection to the proposed use in principle subject to it having an acceptable environmental impact.

DESIGN/IMPACT ON STREET/GARDEN SCENE

The application site is located to the rear of buildings fronting South Street and screened from public vantage points in Davidson Way to the west by existing trees along the bank of the River Rom. The site has most recently been in use for parking. Staff are of the view that visually the presence of cars for their washing would not be intrusive in these urban surroundings. This application relates to a change of use of the land only and permission is not being sought for any accompanying structures or signage. These features would be subject to a separate application(s).

IMPACT ON AMENITY

The application site is situated on the periphery of Romford town centre, just outside of the ring road. The character of the area is drawn from a variety land uses with predominantly two storey housing fronting South Street and commercial uses to the south and west on the opposite side of the River Rom. In view of the character of the area staff are of the view that the proposed use would not be out of character in the same way it could be within a predominantly residential area. Notwithstanding this consideration must be given to the potential impact of the proposed

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use on residential amenity.

The application site is located to the rear of gardens belonging to those residential properties fronting South Street. The proximity of the proposed use to these rear garden areas clearly has the potential to result in some disturbance from vehicular noise, spraying equipment and people's voices. The impact of the proposed use must therefore be carefully judged against the ambient levels of noise already present in the locality.

Most of the noise generated within the locality of the application site is presently from traffic, with fairly constant flows but with occasional lulls caused by the traffic lights controlling flows at the junction of South Street, Oldchurch Road and Thurloe Gardens. The location of the site in close proximity to several main roads means that for large periods of the day ambient background noise levels in the locality are fairly high.

The adjoining residential dwellings fronting South Street are removed from the boundary with the application site by a distance of approximately 34 metres. Staff are of the view that this distance of separation is sufficient to ensure that the proposed use would not be noticeable when inside a property. The proposed car wash would however introduce activity in close proximity to several private rear garden areas where occupiers would reasonably expect some quiet time. The existing boundary between the application site and the adjoining garden areas is formed of a 1.8-2 metre high concrete fence. Beyond the fence within the adjoining gardens are a number of mature shrubs which provide a form of buffer with the site. Staff are of the view that the existing boundary treatment, together with a planning condition requiring noise details of any machinery such as jet washers, would be sufficient to limit the likely noise generated by the car wash.

In the event that Members were minded to grant planning permission a temporary planning permission is recommended in order that the use can be monitored over that period. Staff also recommend that an hours of operation condition is imposed. The applicant has stated an intention to operate the car wash daily between 0900 and 1900 however if Members considered it to be appropriate the condition could be revised to stipulate reduced operating hours. Staff acknowledge that the impact of the car wash on residential amenity is a matter of judgement and Members may conclude that the proposal would be harmful to amenity. In reaching a view as to whether the proposal would be harmful Members may wish to give consideration to the fact that the land is capable of being used for the parking of cars.

HIGHWAY/PARKING

Access to the proposed car wash would be taken from Oldchurch Road and through the car park at the rear of nos. 222 to 226 South Street. Cars waiting to be washed would be able to queue against the southern boundary adjacent to the River Rom. Staff estimate that at least eight cars could be held in this area without causing congestion within the existing car park.

The routing of the access to the car wash through the existing car park which is used by the restaurant and adjoining retail premises would result in the loss of approximately six spaces. The area retained for parking would be capable of providing space for 42 cars which staff consider would be sufficient for the existing uses on site.

OTHER ISSUES

Policies DC57 and ROM18 seek that developers contribute to the restoration of the River Rom. Staff are not seeking a contribution in this case owing to the fact that this proposal relates to the change of use of the land rather than a whole scale comprehensive redevelopment.

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The application site is situated within flood zone 3 of the River Rom. Planning policy usually encourages development to be located outside of flood zones to reduce the adverse consequences of flooding on people and property. In this case staff are of the view that the proposed use is acceptable in flood risk terms in this location because the vulnerability of the use to flooding is limited.

The proposed use of the application site for the washing of cars has the potential for waste water and detergent to enter the adjacent River Rom watercourse. On this basis the Environment Agency recommends that a condition is imposed in the event that planning permission is granted to require a scheme to dispose of foul drainage. The applicant will require a separate Trade Effluent Discharge Consent from the sewer undertaker.

KEY ISSUES/CONCLUSIONS

The proposed use of the site as a hand car wash is considered to be acceptable in principle in this location. Staff are of the view that the proposed use would have an acceptable impact on the character of the area and would not result in an adverse impact on the River Rom subject to the use of a condition concerning drainage. It is not considered that the proposal would result in any adverse highways implications. The main consideration in respect of this application is that of the potential impact to residential amenity. Having regard to the location of the application site and the existing ambient noise levels in the locality staff are of the view that the proposal would not be materially harmful to amenity. Notwithstanding this staff recommend that permission is granted initially on a temporary basis only to enable the use to be monitored.

RECOMMENDATION

It is recommended that **planning permission be GRANTED** subject to conditions

1. S SC4 (Time limit) 3yrs
4. S SC32 (Accordance with plans)

2. Non standard condition

The use hereby approved shall not be commenced until a scheme to dispose of foul drainage has been submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be implemented as approved.

Reason:-

To protect the quality of the water environment and in order that the development accords with Policy DC51 of the LDF Development Control Policies Development Plan Document.

3. Non standard condition

Prior to the commencement of the use hereby permitted a scheme for any plant or machinery shall be submitted to the Local Planning Authority to achieve the following standard. Noise levels expressed as the equivalent continuous sound level LAeq (1 hour) when calculated at the boundary with the nearest noise sensitive premises shall not exceed LA90-10dB. The approved scheme shall be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

Reason:-

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To prevent noise nuisance to adjoining properties in accordance with the recommendations of Planning Policy Guidance Note 24 Planning and Noise 1994.

5. Non standard condition

Vehicles shall not be washed or otherwise cleaned on the site outside the hours of 0900 and 1900 on any day without the prior consent in writing of the Local Planning Authority.

Reason:-

To enable the Local Planning Authority to retain control in the interests of amenity, and in order that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

6. Non standard condition

No operations or activities in connection with the car wash use shall take place other than within the areas identified with a red line on the submitted plan and on no other part of the site.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

7. Non standard condition

No external lighting shall be provided on the site unless permission has first been obtained in writing from the Local Planning Authority.

Reason:-

To minimise the impact of the development on the surrounding area in the interests of amenity, and that the development accords with the LDF Development Control Policies Development Plan Document Policy DC61.

1 INFORMATIVES:

1. Under the terms of the Water Resources Act 1991 and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structure, in, under, over or within eight metres of the top of the bank with the River Rom designated as a main river.

2. The applicant will require a Trade Effluent Discharge Consent from the sewerage undertaker before any operation takes place. Please note that car washing run off is considered as trade effluent and needs permission.

3. Reason for approval:

The proposed development is considered to be in accordance with the aims, objectives and provisions of Policies DC32, DC33, DC45, DC51, DC55 and DC61 of the LDF Core

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Strategy and Development Control Policies Development Plan Document and Policies ROM18 and ROM20 of the Romford Area Action Plan Development Plan Document.

Note: Following a change in government legislation a fee is now required when submitting details pursuant to the discharge of conditions, in order to comply with the Town and Country Planning (Fees for Applications and Deemed Applications) (Amendment) (England) Regulations, which came into force from 06.04.2008. A fee of £85 per request (or £25 where the related permission was for extending or altering a dwellinghouse) is needed.

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REGULATORY SERVICES COMMITTEE

SUPPLEMENTARY AGENDA

16 December 2010

The following report is attached for consideration and is submitted with the agreement of the Chairman as an urgent matter pursuant to Section 100B (4) of the Local Government Act 1972

- 15 P1188.09 - FORMER OLDCHURCH HOSPITAL SITE, OLDCHURCH ROAD, ROMFORD – Report Attached**

**Philip Heady
Democratic Services Manager**



15

REGULATORY SERVICES COMMITTEE REPORT

16 December 2010

| | |
|---|---|
| Subject Heading: | P1188.09 – Former Oldchurch Hospital Site, Oldchurch Road, Romford (Date received 20/8/2009) |
| Proposal | Residential development (outline) for up to 368 units, varying from 2 to 6 storeys in height (341 flats/maisonettes and 27 houses) (Revised plans received 26/11/10 and 6/12/10) |
| Report Author and contact details: | Simon Thelwell (Planning Control Manager) 01708 432685 |
| Policy context | Local Development Framework London Plan National Planning Policy |
| Financial summary | None |

The subject matter of this report deals with the following Council Objectives

| | |
|--|-------------------------------------|
| Clean, safe and green borough | <input checked="" type="checkbox"/> |
| Excellence in education and learning | <input checked="" type="checkbox"/> |
| Opportunities for all through economic, social and cultural activity | <input checked="" type="checkbox"/> |
| Value and enhance the life of every individual | <input checked="" type="checkbox"/> |
| High customer satisfaction and a stable council tax | <input type="checkbox"/> |

SUMMARY



This report assesses an outline planning application for the residential redevelopment of the western end of the former Oldchurch Hospital site. The application site covers 2.15 hectares and the proposed redevelopment would provide 368 new dwellings in the form of 341 flats and maisonettes and 27 houses delivering 28% affordable housing. Scale and access are submitted for determination at this stage with all other matters to be reserved.

The proposals have recently been revised and staff consider that the proposals accord with the relevant policies in the Local Development Framework. The proposal is considered to be a sustainable development providing family orientated housing including an acceptable level of affordable housing, suitable for this location and subject to the completion of a S106 legal agreement, no contrary direction from the Mayor for London and no call in of the application by the Secretary of State as a result of a request from the Health and Safety Executive it is recommended that planning permission be granted.

RECOMMENDATIONS



That the Committee resolve that, the application is considered unacceptable as it stands but it would be acceptable subject to:

- a) No direction to the contrary from the Mayor for London;
- b) No call in of the application by the Secretary of State as a result of a request from the Health and Safety Executive;
- c) The prior completion of a S106 legal agreement to secure the following:
 - 1 The provision of 106 affordable housing units by a registered provider, split as 77 for affordable rent and 29 intermediate units, to be provided no later than occupation of the 184th market dwelling.
 2. The provision of a maximum £2.34m phased education contribution for primary and secondary school provision in accordance with the Council's IPG using the current Department for Education and Skills cost figure at the time of signing (or such other lower contributions as are calculated or agreed following further discussions with the Council).

Phasing to be:

- 25% available prior to occupation of no more than 184 dwelling units;
- 50% prior to occupation of no more than 276 dwelling units;
- 100% prior to occupation of no more than 331 dwelling units.

Contributions to be repayable with interest if not spent within a period of 7 years from the final payment being received by the Council. Contributions for any units with more than four bedrooms will be calculated in accordance with the Councils IPG for Education Contributions using the current

Department for Education and Skills cost figure at the time of signing or such other agreed calculation following the outcome of the current child yield survey being undertaken by the Council.

3. The submission of a phasing strategy (to mirror faithfully the phasing strategy to be agreed pursuant to a planning condition) for the development, including access arrangements during construction and a requirement for written notification to the Head of Development and Building Control in advance of all trigger points and all other events necessary to monitor the delivery of obligations and conditions.
4. Subject to the agreement of the Council as Highway Authority prior to the first occupation of the application site, off site highway works including any necessary improvements to the entrance from Oldchurch Road and related Orders to be respectively undertaken and paid for by the developer.
5. On site highway works including related Traffic Management Orders, road marking and signage, and any necessary related payments required in connection with S278 and S38 agreements to be recovered through the S278 and S38 process.
6. The provision by the developer as a planning obligation of a financial contribution of £300,000 towards highway improvement works in the vicinity of the development.
7. Prior to commencement of the development or any phase thereof the developer to submit for the approval of the LPA a training and recruitment scheme for the local workforce to work at the site and such approved scheme to be implemented thereafter over the course of the construction of the development.
8. The provision by the developer of a £tbc contribution towards the provision of primary healthcare facilities.
9. The developer/owner to provide play equipment within a Locally Equipped Area for Play (LEAP) or Local Area for Play (LAP) or other areas within the development in accordance with a scheme (which will identify the location of the required LEAP or LAPS) and timeframe for implementation to be submitted to and approved by the LPA prior to commencement of the relevant phases of the development. The developer/owner to fund in full all other costs associated with establishing such areas and to provide for its maintenance in perpetuity.
10. A financial contribution towards additional facilities to be provided in nearby areas of open space and parks (figure to be agreed). Arrangements for contributing to the maintenance of the adjoining open space.
11. Prior to the first residential occupation of the development or any phase thereof the developer to submit a residential travel plan (which shall follow

the guidelines contained within Transport for London's (TfL's) publication 'Guidance for residential travel planning in London' (March 2008)) for the development for the approval of the LPA in consultation with Transport for London and such approved scheme to be implemented and monitored thereafter.

12. Save for blue badge holders the restriction of the ability of residents and successors in title and their visitors to apply for parking permits within existing or future controlled parking zones.
13. Payment of the Council's legal fees associated with the preparation of the agreement.
14. All contributions will be subject to indexation using the appropriate Index. All contribution to be spent within 7 years of receipt of the final payment relating to the specific contributions and to include any interest earned prior to spending.
15. All contributions to be subject to the requisite monitoring fee for planning obligations in accordance with the Council's approved guidance.

All of the above obligations will be binding against the developer and/or the owner/s of the application site as the Council deems appropriate. That staff be authorised to enter into such agreement and upon completion of it, to grant planning permission subject to the conditions set out in Appendix 1 to this report. These cover:

Summary of Conditions

A. Procedural

1. Approval of Reserved Matters
2. Time Limit for Details
3. Time Limit for Commencement (Outline)
4. Complete Accordance with Plans
5. Submissions and Approvals
6. Phasing Strategy

B. Design

7. Number of Residential Units
8. Details of Materials
9. Boundary Treatment
10. Lighting
11. Landscaping
12. Landscape Management Plan
13. Play Area Design
14. Protection of Preserved Trees
15. Obscure Glazing

C. Access and Parking

16. Car Parking
17. Cycle Storage
18. Road Construction
19. Alterations to the Public Highway (1)
20. Alterations to the Public Highway (2)
21. Road Safety Audit
22. Car Parking Secure by Design
23. Electric Vehicle Charging Points
24. Fire Brigade Access

D. Construction Details and Schemes

25. Foul and Surface Water Drainage
26. Surface Water Drainage Scheme
27. Infiltration
28. Detail of Fire Hydrants
29. Design Statement
30. Access Statement
31. Lifetime Homes
32. Wheelchair Accessibility
33. Sustainability Statement
34. Energy Statement
35. Designing for Community Safety – Secured by Design
36. Designing for Community Safety – CCTV
37. Refuse Storage and Segregation for Recycling
38. Piling
39. Archaeological Investigation
40. Biodiversity Enhancement

E. Amenity

41. Construction Environmental Management Plan
42. Delivery and Servicing Plan
43. Hours of Construction
44. Wheel Washing
45. Contamination Assessment
46. Sound Insulation

Reason for Approval and Informatives and justification for planning obligation in Regulation 122

- B. In the event that the applicant fails to fully accept the Heads of Terms set out above that the Head of Development and Building Control in conjunction with the Assistant Chief Executive for Legal and Democratic Services be given delegated authority to negotiate acceptable terms, failing which the

application will be remitted to the next appropriate meeting of Regulatory Services Committee.

REPORT DETAIL

1.0 Site Description and Background

1.1 The application site consists of the western end of the former Oldchurch Hospital site. The overall site has an area of 7.76 hectares and the site the subject of this application covers an area of 2.15 hectares adjacent to Oldchurch Road to the south and Nursery Walk to the west. To the immediate north of the site Union Road gives access to new key worker cruciform blocks and associated parking beyond which lies the main railway line between Romford and London Liverpool Street. To the east, the remaining undeveloped part of the former hospital site up to Waterloo Road has been cleared pending redevelopment. To the south the site includes the former entrance to the site from Oldchurch Road but excludes the two original retained buildings either side of the entrance. Two storey terraced residential properties front the opposite side of Oldchurch Road. West of the site beyond Nursery Walk are Romford gas works.

1.2 Oldchurch Hospital closed at the end of 2006 when its services and those of Harold Wood Hospital were transferred to the new Queens Hospital. The site was formerly occupied by a range and variety of hospital buildings dating from the late 19th century to the modern day. Within the application site only the central "Treasury building" section of the former workhouse frontage building now remains.

1.3 The site is level but the railway land north of the site is built up with ground rising to some 5m above the former hospital site. There are a number of trees along the western boundary of the site which are protected by a Tree Preservation Order.

2.0 Description of Proposal:

2.1 General layout - The application is submitted as an outline application with all matters apart from scale and access reserved for future reserved matters approval. The development sought is a residential development for up 368 units, varying from 2 to 6 storeys in height and providing 341 flats/maisonettes and 27 houses. Two way access to the site would be from Oldchurch Road via the original entrance which it is proposed would be signalled with access only entrances in two locations from Union Road to the north. The masterplan for the site illustrates a development that comprises three distinct elements.

- In the south eastern part of the site to the east of the main access and west of the proposed local park a quadrangular arrangement of

houses and flats (block 6) are proposed centred around the refurbished and converted “Treasury” section of the former workhouse. Two terraces of town houses are indicated either side of the retained building with a further terrace forming part of the western edge fronting onto the main access. The northern edge of the block and part of the eastern edge with the park are shown to comprise four storey flats and duplex units. Ground floor units and the houses would have their own private garden areas backing onto a central communal area.

- To the south west to the west of the main access a 3 sided development is illustrated (block 5) comprising two angled terraces of town houses with private gardens on the east and west sides and a four storey flat block on the northern side. A central area would be provided for communal amenity space.
- The northern section of the site would comprise four parallel six storey apartment blocks on a north/south orientation. The two central blocks (2 and 3) are illustrated with a central first floor amenity podium between them above a ground floor parking area with a larger basement parking area underneath. The northern section of the western block (1) would align with Nursery Walk with an area of amenity space indicated to the west of its southern section. The eastern block (4) would align with and overlook the proposed local park with the northern most section of reduced width to give greater separation from the retained nurses home.

2.2 *Access, Parking and Servicing*—The main access to the site would be from Oldchurch Road utilising and upgrading the original entrance to form a signalised priority junction which would replace the existing pelican crossing to the east of the site access. From Union Road to the north two entrances would provide a one way access for residents to ‘home zone’ areas. Internally, the main two way site access road would form a crossroads with the principal east/west internal route. On its western side this is shown as 4m wide giving access to a small parking court adjacent to the western boundary. To the east a 5m wide route would give access to the ground and basement parking areas for blocks 2 and 3 as well as linking to the eastern ‘home zone’ access from Union Road between blocks 3 and 4. On the northern side of the crossroads the western ‘home zone’ would link to Union Road between blocks 1 and 2.

2.3 Pedestrian access would be available from the same points as for vehicles from Oldchurch Road and Union Road. In addition a pedestrian route would be provided along the full length of the eastern and western boundaries and across the frontage of block 6. The main east/ west route through the site would also link to a central route across the proposed local park to give access through the site to Waterloo Road during park opening times.

- 2.4 Provision for 220 parking spaces is proposed with approximately 50 shown to be either on-street or in parking courtyards and the remainder within the ground and basement parking areas underneath blocks 1 and 2. Cycle parking is proposed at a level of one space per flat and 2 spaces per house.
- 2.5 Refuse collection would be carried out on-street using either the access from Oldchurch Road or those from Union Road with the access routes designed to enable all required manoeuvres to give access to proposed bin store areas.
- 2.6 Amenity Space, Landscaping and Play Space The masterplan indicates that amenity space would be provided by way of private gardens, private communal internal courtyards, roof terraces and private balconies. The private gardens would be small, but would back onto communal areas. Roof terraces are indicated for blocks 1 and 4 whilst blocks 2 and 3 would share a communal podium terrace.
- 2.7 Landscaping opportunity would be available through enhanced boundary planting, the use of the strip of land between the northern edge of the 6 storey apartments and Union Road and through areas of ground floor defensible space in front of the flats and other areas within the 'home zone' areas.
- 2.8 Opportunities for new play provision are illustrated with the courtyards showing the provision of informal play areas and an area indicated at the eastern end of the east/west route, adjacent to the proposed new park for the provision of a formal play area.
- 2.9 Sustainability – In order to achieve a 20% reduction in carbon dioxide emissions it is intended to employ both energy efficiency measures some way in excess of those required by the current Building Regulations together with a communal heating system through a gas-fired CHP engine which would be installed in the basement area of blocks 2 and 3. It is proposed that the development will achieve a Code for Sustainable Homes (CSH) Level 4 rating.
- 2.10 The application has been submitted with the following supporting documents;
- Planning Statement
 - Design and Access Statement
 - Heritage Assessment
 - HSE Policies Risk Assessment Report
 - Sustainability Assessment and Statement
 - Code for Sustainable Homes Pre-Assessment
 - Arboricultural Survey and Report
 - Transport Assessment
 - Outline Travel Plan

- Energy Statement and Addendum
- Flood Risk Assessment
- Affordable Housing Statement
- Preliminary Site Investigation Report and Outline Contamination Assessment
- Baseline Ecological Walkover and Daytime Bat Assessment Survey Report
- Daylight and Sunlight Studies
- Statement of Community Involvement

3. Relevant History

- 3.1 Extensive history relating to the function of the site as a Hospital. Most relevant history to this application is:

Application site

P1634.04 Demolition of existing buildings on site and redevelopment to provide a mental health facility – Outline - Refused

P0634.06 Demolition of existing buildings on site and redevelopment to provide new mental health facility. – Resolved to approve, S106 not completed

P0975.10 Detailed planning application for 457 dwellings (135 x 1 bed, 236 x 2 bed, 72 x 3 bed, 7 x 4 bed and 7 x 5 bed) – Under consideration

Remainder of Oldchurch Hospital site

P1635.04 Outline planning application for residential development (key workers and general housing) – Approved

P2103.06 Submission of reserved matters, condition 1 of application P1635.04 landscaping (key workers) – Approved

P1837.07 Reserved matters application 1 – Blocks 9, 10,11,12,13 & 14. Newbuild residential units and car parking pursuant to outline planning permission P1635.04 – Withdrawn

P2485.07 Reserved matters application 1 – blocks 9, 10, 11, 12, 13 & 14. 502 new build residential units and car parking pursuant to outline planning permission P1635.04 – Approved

P0159.08 Reserved Matters application 2 - refurbishing block 8+17 to provide 31 residential units and car parking pursuant to outline planning permission P01635.04 – Approved

P0167.08 Reserved matters application 3 -refurbishing block 16 to provide a 3 bed residential dwelling and car parking pursuant to outline planning permission P1635.04 – Approved

P0170.08 Reserved matters application 4 - block 18. 5 new build residential units with car parking pursuant to outline planning permission P1635.04 - Approved

P1638.09 Redevelopment of the former Oldchurch Hospital to provide 493 residential units, an energy centre, a local park, car parking, access and internal roads and hard and soft landscaping. – Approved

4. Consultations and Representations:

4.1 The proposals have been advertised as a major development by the display of site notices and by an advertisement in Living newspaper. A total of 460 individual properties were notified directly of the proposals. Consultees, neighbours and previous objectors have been notified of the revised scheme.

4.2 3 letters of objection have been received. Those from neighbours object to more flats and suggest that the northern blocks are too close together and will suffer poor levels of natural lighting at lower levels, increased traffic, inadequate parking, declining air quality, loss of light, overlooking and loss of privacy and the need for the development to provide improved access to the town centre and local facilities.

4.3 The other letter has been submitted on behalf of the applicants/developers of the eastern portion of the site and raises although not objecting to the principle of redevelopment raises the following matters of concern:

- The Transport Assessment fails to take into account the other developments on the former Oldchurch Hospital site that have been granted planning permission and therefore fails to assess the full impact on the Oldchurch/Waterloo Road roundabout.
- The potential impact of allowing access from Union Road on the Union/Waterloo Road junction needs to be considered and any required upgrade should be met by the applicants.
- The impact of the development upon public transport services has not been considered.
- All modes of transport should be modelled into the trip generation section of the Transport Assessment.
- The survey databases used to work out the car parking reduction factor are not considered to be representative of the development proposals
- The scheme would place additional pressure on play facilities in the area and should there be any need for additional facilities the burden of this should be the responsibility of the applicants rather than placing additional burdens on the developers of the rest of the site who

- bringing forward the local park as part of their development.
- The applicants should be responsible for any financial contribution for additional GP surgery infrastructure that is required.

Consultee Responses

English Heritage GLAAS - Advise that the results of archaeological evaluation have identified the potential for the redevelopment of the site to affect remains of archaeological importance. Archaeological investigations initially in the form of a field evaluation should be undertaken in advance of development and a condition is suggested to ensure this.

English Heritage (London Region) – Advise that the application should be determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice. Concern is raised that little consideration has been given in the proposals to the retention and conversion of the Romford Union Workhouse.

Environment Agency –Confirmed they have no objections subject to the imposition of suitable conditions.

Greater London Authority – The Greater London Authority have considered the proposal at Stage I of the referral process and concluded that the development was acceptable in strategic planning terms but did not fully comply with the London Plan. It was suggested that:

- A written response to HSE consultation was required,
- A toolkit appraisal of financial viability was required to demonstrate that the level of affordable housing proposed was the maximum reasonable amount that could be delivered,
- The development should comply with the requirements of the London Plan energy policies
- Additional information and mitigation measures were required to enable full assessment and mitigation of the impact of the proposals in the Strategic Road Network, public transport network and pedestrian environment.

Health and Safety Executive – The proposal has been considered using PADHI+, the HSE's planning advice software tool. The assessment indicates that the risk of harm to people at the proposed development is such that HSE's advice is that there are sufficient reasons, on safety grounds, for advising against the granting of permission.

NHS Havering –.Advise that the development will give rise to a significant increase in the local population and raise concern that the Primary Care provision within the town centre is unlikely to be able to cope. A financial contribution is sought as part of a S106 agreement.

LFEP (Access) – Advise of the need for access to houses and flats to comply with the relevant standards.

LFEPA (Water Section) – Require the provision of four additional fire hydrants.

National Grid (Asset Protection) – Advise that the risk to the operational electrical transmission and national gas transmission networks is negligible.

Natural England – No objection as the proposal does not significantly affect any priority interest areas for Natural England although the proximity to the Railsides West of Romford Site of Interest for Nature Conservation (SINC) is noted. Additional provision of green space should be welcomed. It is recommended that should the Council be minded to grant permission that measures to enhance the natural environment in accordance with National and London planning guidance should be secured.

Network Rail - No comments.

Transport For London – Are satisfied with the level of parking proposed at a ratio of 0.47 spaces per unit (220 spaces) but suggest that a lower level should be considered due to the high level of local congestion. (NB this was prior to the revisions which have increased the ratio to 0.6 spaces per unit). They request the submission of a car parking management strategy and the provision of charging points for electric vehicles.

The submission of a safety assessment is requested together with clarification of the basis of the trip generation and distribution information. The implementation of the improvements to the on-highway bus infrastructure along Oldchurch Road are suggested, but no contribution towards capacity enhancements are considered necessary. The need to carefully consider the impact of the proposed signalised junction on traffic flows and bus priority is highlighted. Also the potential impact of the removal of the existing pedestrian crossing close to the bus stops on either side of Oldchurch Road is raised as an issue. Conditions and S106 contributions are requested to address such matters as a travel plan, construction and logistics plan, contributions towards local traffic management measures and bus stop improvements. ,

Borough Crime Prevention Design Advisor – Recommends that the practices and principles of Crime Prevention Through Environmental Design and Secured by Design should be considered where appropriate to mitigate any risks arising from the detailed layout and design. Recommends conditions be attached relating to community safety and secure by design. Some specific areas of concern are highlighted including the need for careful consideration of boundary treatments, landscaping, external lighting and the specification for windows and doors.

Thames Water –Request the imposition of a Grampian style condition requiring that a drainage strategy be submitted and approved by the Local

Planning Authority in consultation with Thames Water prior to the commencement of development.

- 4.4 Environmental Health raise no objections subject to suitable conditions relating to protection against airborne noise and delivery restrictions.
- 4.5 Highways Officers in Streetcare have commented on the proposals but have not raised any objections. Comments relate to the sufficiency of the information provided regarding the impact of the development on the existing Highway Network, junction operation and pedestrian movement. Given the proximity of the development to Romford Town Centre and a wish to see the level of vehicular trip generation minimized no objection is raised to the low level of parking proposed. Various aspects of the scheme would warrant the imposition of particular conditions and/or S106 provisions to ensure that remaining concerns are adequately addressed.

5 Relevant Policies

- 5.1 The issues to be considered are the principle of development, density, scale, massing and street scene implications, historic building considerations, provision of open space, affordable housing provision, the effect of the development on the surrounding area, including residential amenity, traffic and highway matters, impact on local services including education, sustainability, health and safety implications, secured by design issues and biodiversity. The planning history of the former hospital site is also relevant.
- 5.2 The development plan for the area consists of the Havering Local Development Framework (Core Strategy, Development Control Policies and Site Specific Allocations) and the London Plan Consolidated with Alterations (February 2008) (Spatial Development Strategy for Greater London). Havering Supplementary Planning Documents on Residential Design, Sustainable Design and Construction, Designing Safer Places and Protecting and Enhancing the Borough's Biodiversity are material planning considerations.
- 5.3 Policies CP1 (Housing Supply), CP2 (Sustainable Communities), CP7 (Recreation and Leisure), CP9 (Reducing the need to Travel), CP10 (Sustainable Transport), CP12 (Use of Aggregates), CP15 (Environmental Management), CP 16 (Biodiversity and Geodiversity), CP17 (Design), of the Local Development Framework Core Strategy are material planning considerations.
- 5.4 Policies DC2 (Housing Mix and Density), DC3 (Housing Design and Layout), DC6 (Affordable Housing), DC7 (Lifetime Homes and Mobility Housing), DC21 (Major Development and Open Space, Recreation and Leisure), ,DC32 (The Road Network), DC33 (Car Parking), DC34 (Walking), DC35 (Cycling), DC36 (Servicing), DC40 (Waste Management), DC48 (Flood Risk), DC49 (Sustainable Design and Construction), DC50 (Renewable

Energy), DC51 (Water Supply, Drainage and Quality), DC53 (Contaminated Land), DC61 (Urban Design), DC62 (Access), DC63 (Delivering Safer Places) and DC66 (Tall Buildings and Structures) of Local Development Framework Development Control Policies Development Plan Document are also material planning considerations.

- 5.5 Policies 3A.3 (Maximising the Potential of Sites), 3A.5 (Housing Choice), 3A.6 (Quality of New Housing Provision), 3A.7 (Large Residential Developments), 3A.10 (Negotiating Affordable Housing), 3A.11 (Affordable Housing Thresholds), 3A.15 (Loss of Housing and Affordable Housing), 3C.18 (Allocation of Road Space), 3C.19 (Local Transport and Public Realm Enhancements), 3C.20 (improving Conditions for Buses), 3C.23 (Parking Strategy), 3D.13 (Children's Play), 3D.14 (Biodiversity and Nature Conservation), 4A.1 (Tackling Climate Change), 4A.2 (Mitigating Climate Change), 4A.3 (Sustainable Design and Construction), 4A.4 (Energy Assessment), 4A.5 (Provision of Heating and Cooling Networks), 4A.6 (Decentralised Energy), 4A.7 (Renewable Energy), 4A.9 (Adaptation to Climate Change), 4A.11 (Living Roofs and Walls), 4A.13 (Flood Risk Management), 4A.14 (Sustainable Drainage), 4B.1 (Design Principles), 4B.2 (Promoting World-Class Architecture and Design), 4B.3 (Enhancing the Quality of the Public Realm), 4B.5 (Creating an Inclusive Environment), 4B.8 (Respect Local Context and Communities), of the London Plan (Spatial Development Strategy for Greater London) 2008 are further material considerations, together with PPS1 'Delivering Sustainable Development', PPS3 'Housing', PPS5 'Planning for the Historic Environment', PPG13 'Transport', PPS22 'Renewable Energy', PPS25 'Development and Flood Risk'.

6. Planning Considerations

Introduction

- 6.1 Following the development of the new Queens Hospital on the former Oldchurch Park all hospital services and activities were transferred from Oldchurch and Harold Wood Hospitals in late 2006. The then owners, Havering Barking and Redbridge NHS Trust, applied for outline planning permission for the larger part of the site for key worker and market housing (P1635.04) and the Mental Health Trust concurrently submitted an outline planning application to develop the remainder of the site (the subject of this current application) for a mental health facility (P1634.04). Following an initial refusal Regulatory Services Committee resolved that a revised scheme for a mental health facility (P0634.06) was acceptable subject to the prior completion of a S106 planning obligation. No S106 was ever completed and the Mental Health Authority decided to develop a new facility elsewhere. The site was subsequently marketed and the current applicants purchased the site with a view to residential redevelopment.

Principle of development

- 6.2 As a former hospital site the redevelopment of the site for residential purposes is in accordance with the national advocated policy to guide new residential development to brown field sites as set out in PPS1, and reflected in Core Policy CP1. Policy CP1 would support the development of this site as a contribution to the borough's housing target of 535 new homes per year. The principle of the residential redevelopment of the rest of the former hospital site has been established by the grant of outline planning permission and subsequent agreement of reserved matters and the more recent approval of a fresh full application for the development of the eastern end of the original hospital site. No objection is therefore raised to the principle of residential development.

Density, design and layout

- 6.3 The application proposes a total of 368 units on a 2.15 hectare site which equates to a density of 171 units per hectare. Development Control Policy DC2 Housing Mix and Density includes this site within the Romford pedshed area where densities of between 165-275 units per hectare would be appropriate for a predominantly flatted development within an urban setting and 55-175 units per hectare for terraced housing and flats. Within a suburban setting the range of suggested density for terraced housing and flats is 50-110 units per hectare.
- 6.4 An urban setting is defined as dense development with a mixture of uses and buildings 3-4 storeys in height such as town centres and along main arterial routes, whereas a suburban setting is characterised by lower density, predominantly 2-3 storey residential development. It is considered that the surroundings of the site display characteristics of both settings with the new multi-storey key worker flats, the railway and the Waterloo Road Estate to the north and the gas holders to the west, with the two storey developments both within the former hospital site and on the opposite side of Oldchurch Road to the south. The development proposed, with the lower density housing and retained "Treasury" building to the south, four storey flats to the north of these and higher density six storey development in the northern section, is considered by staff to respond appropriately to the changing setting in a manner which makes efficient use of the site in accordance with Policy DC2.
- 6.5 When the issue of density was previously considered for the larger part of the site at Outline stage (P1635.04), an overall density of 168 units per hectare was considered acceptable. More recently, when considering the proposals for the eastern end of the site in isolation a density of 221 dwellings per hectare was also considered acceptable. Accordingly, no objection is raised to the proposed density of 171 units per hectare.
- 6.6 Although the layout, design and appearance of the proposal are reserved matters, members should be aware that the applicants have submitted a full

planning application (P0975.10) which reflected the masterplan of the scheme prior to amendment. Should this application be approved it is understood to be their intention to amend that application to reflect the changes that have been made to this one. Accordingly it is considered quite appropriate to give some consideration to such matters as indicated on the masterplan and other plans together with the non-reserved matters of scale and access.

- 6.7 The submitted Design and Access Statement demonstrates how the proposed masterplan has evolved through consideration of the surrounding context, the access requirements of the development and connections to the highway network, local heritage buildings, orientation of blocks to maximize sunlight and the proximity and relationship to the proposed local park. Staff are satisfied that the DAS demonstrates that the applicants have adopted a design led approach to the potential redevelopment of the site.
- 6.8 It is considered that the scale, height and layout of the scheme rising from 3 storey housing to the south up to 6 storey apartment blocks to the north responds appropriately to the neighbouring development to the south and to the north. The eastern edge of the development would provide a scale of development in relation to the proposed local park and retained nurses home similar to that which has been approved for the eastern portion of the site. Staff are satisfied that this would be appropriate for the new local park in an urban setting with a scale and massing that would continue to lend the open space a character that would be comparable to a London Square.
- 6.9 Policy DC66 advises that outside of Romford Town Centre buildings of 6 storeys or greater will only be granted planning permission in exceptional circumstances subject to a number of criteria relating to the character and appearance of the building, its impact upon amenity and the need to be appropriate for the site. In this respect staff consider that a precedent for the development at six storeys has been established by the key worker housing to the north and by the approval of a predominantly six storey development at the eastern end of the site. It is also considered that the presence of part six storey development adjacent to the western boundary of the proposed local park would balance with the appearance of the approved scheme to the east. The illustrative elevations show a scheme that would break down the elevations by the use of external framed columns of balconies and recessed balconies giving a rhythmic order and proportion to the façades. Staff are satisfied that with the use of high quality materials and attention to detail and design that an attractive scheme that would be complementary to the site and its surroundings could be achieved.
- 6.10 Looking at the streetscene impact of the development, the new buildings would be set a minimum of 27m back from the Oldchurch Road pavement and would be of a similar scale to the retained Treasury building. The closest four storey building would be 50m into the site and the six storey blocks 90m. The direct impact on the Oldchurch Road streetscene would therefore be minimal. From the main entrance the views into the site open

out in a similar manner to that which previously existed on the site. The retained buildings either side of the entrance are only 11m apart. Beyond this the view would open out to a 17m wide tree lined avenue where the gradual northward increase in height of the development would be perceived.

- 6.11 Within the site the width of the “streets” would be comparable to that of many of the nearby residential areas to the north and south of the site. The visual appearance, however, would be quite different as a result of the intended home zone approach to the north south routes. This would place emphasis on pedestrians by the use of shared surfaces, staggering the vehicular paths by the use of planters, trees and on-street parking all of which would also assist with breaking down the street and the scale and height of the blocks visually. The blocks themselves, as illustrated, would have shallow areas of defensible space along their street elevations which would assist with making the routes pedestrian friendly whilst maintaining privacy for the occupiers of ground floor units. The north/south orientation will allow maximum penetration of sunlight which together with the above features has the potential to make the development an attractive and user friendly one for future residents.
- 6.12 Staff accordingly consider that the indicative design of the development is acceptable in respect of issues such as scale and massing and that it would establish the foundations for a high quality development which would be acceptable within the context and character of the site and the surrounding area.

Residential quality and open space

- 6.13 The most recent sustainability statement advises that it would be the applicants intention that the development would achieve Code for Sustainable Homes Level 4. To achieve this the internal layouts of all of the units would have to provide units of a good size which satisfy the requirements for affordable housing and lifetime homes throughout. The development would incorporate a number of ground floor units specifically designed for wheelchair users which would benefit from on-street parking spaces close to the units and the general proximity of the site to the town centre and good public transport links.
- 6.14 The indicative masterplan and Design and Access statement show that the new blocks would be provided with good sized, user friendly and accessible communal garden areas or rooftop terraces and that all new flats above ground floor would be provided with a balcony. Ground floor units would be provided with their own areas of defensible space with houses having their own gardens. Doorstep play spaces would be provided in the majority of the communal garden areas with a larger play area provided at the eastern end of the east west internal route adjacent to the proposed new local park (outside of the application site). Residents of the easternmost block would benefit from direct views over and easy access to the local park. Given that

the development would directly benefit and enjoy increased amenity from the presence of the new local park it is staff's view that it would be inequitable for all responsibility for this to fall entirely upon the development at the eastern end of the hospital site.

- 6.15 Policy DC21 requires that major developments, as well as including adequate provision for open space, recreation and leisure, should also make a contribution towards public open space provision. It is acknowledged that with the new open space to be provided to the east that this would not be necessary, but staff consider that it would be appropriate and in line with policy to require a financial contribution towards enhancing the provision of facilities within the new local park. In addition it is also suggested that the future administration and maintenance of the public open space should partly fall to the responsibility of future occupiers of any proposed dwellings, possibly through the mechanism of a management company. This matter would need to be resolved via a planning obligation were the proposal to be acceptable in other respects.

Landscape and biodiversity

- 6.16 Landscaping would be a reserved matter for this proposal although a landscape strategy is incorporated into the Design and Access Statement. This describes the landscaping principles that it is envisaged would underpin the development, but recognises that landscaping would be a matter to be finally dealt with at reserved matters stage. The strategy recognises the critical role that landscaping plays in the creation of an attractive, safe and biodiversity rich environment for future residents and the public.
- 6.17 The illustrative details of the courtyards created within blocks 5 and 6 show a series of spaces designed to meet the varied requirements of residents varying from soft landscaping and planting to seating areas and the provision of play areas for children. Home Zones would place an emphasis upon a shared surface approach delineating areas by the use of different coloured blocks, seating and planting areas. It is recognised that the success of such an approach requires the use of high quality and durable materials.
- 6.18 It is intended to retain the majority of preserved trees along Nursery Walk and to ensure that the new streets are well planted with new trees to soften the visual appearance. It is recommended within the supporting documentation that the biodiversity potential of the site should be enhanced by installation of bird, boxes, bat boxes and other recognized methods and this would be secured by condition. Overall the landscape strategy is considered to be one that would enhance the appearance of the site, provide good amenity space for residents and improve the biodiversity value of the site to the benefit of the natural environment and the strategy is therefore considered to align with policy DC60.

Impact on adjoining sites and residential amenity

- 6.19 The closest properties to Oldchurch Road would be the town housing either side of the Treasury block which would be a minimum of 47m from any properties on the opposite side of the road with a significant belt of retained landscaping/open space in-between and no adverse impact on residential amenity would result.
- 6.20 Within the former hospital site there would be a rear to flank relationship between the retained and prospectively refurbished original hospital buildings either side of the Oldchurch Road entrance and the new housing. The distances involved would be comparable to the relationships commonly found in traditional street patterns of development and any potential for overlooking could be adequately addressed at detailed design stage by attention to internal layouts and window positioning.
- 6.21 The indicative layout of block 4 addresses the relationship to the retained nurses home at the northern end of the proposed local park by stepping the building away from its flank for the northern section of the block giving a 18m separation. A consultants daylight and sunlight assessment submitted by the applicants demonstrates that the proposed design satisfies the requirements set out by the Building Research Establishment (BRE) Digest 209 'Site Layout Planning for Daylight and Sunlight'.
- 6.22 The potential impact upon the amenities of the key worker housing to the north of Union Road also has to be considered. The potentially affected key worker blocks to the north of the site would be separated from the closest proposed block by a minimum of 22m. However, the cruciform design of the key worker blocks already mitigates the impact to some degree as there are no windows in the end elevations closest to the proposed development with the closest windows facing the development being be 30m or more away. At this separation any loss of sunlight or daylight would be minimal. In terms of privacy and outlook it is not considered that the proposed separation distance will cause any material harm to residential amenity given that key windows facing the development would be 30m or more away.
- 6.23 Policy DC61 requires that the potential impact on the development of adjacent sites should be a considered. Given the current application for the decontamination of the Crow Lane Gasworks site the potential impact upon the land on the opposite side of Nursery Walk should therefore be assessed. In this respect Nursery walk is approximately 10m wide and the minimum separation of block 1 from the boundary of the adjacent site would be 15m. Staff do not consider that this level of separation would be prejudicial to the redevelopment prospects of the adjacent site.
- 6.24 In terms of the relationship between the blocks within the development, it is considered that this would essentially be a matter of judgement for prospective occupiers of the new flats. However, from the illustrative plans supplied the east and west facing elevations of blocks 1 and 2 and 3 and 4

achieve a face to face separation of 17m across the home zone areas that divide them and the east and west facing elevations of blocks 2 and 3 have a 20m separation between them across the podium communal area. These distances are comparable to those which have recently been approved for the scheme on the eastern part of the former Oldchurch Hospital site. Should they be reflected in any reserved matters submission staff are satisfied that they would be sufficient to provide for an acceptable standard of privacy and amenity for future occupiers. A consultants daylight and sunlight assessment submitted by the applicants demonstrates that the illustrative layout and development would achieve a satisfactory standard of daylight and sunlight. A similar exercise in relation to blocks 5 and 6 demonstrates that separation distances in excess of 20m would be achieved in all cases, and with the four storey elements being located to the north of the housing no issues with poor daylight or sunlight levels are anticipated. It is also suggested that many of the units within the four storey blocks would enjoy dual aspect rooms which would further benefit those units with north facing elevations.

- 6.25 In conclusion, the relationship of the proposed development to residential properties outside of the application site is considered to be acceptable and would not give rise to any materially unacceptable impact upon the amenities of neighbouring residential properties or those for which planning permission has been granted. Staff consider that the relationship between buildings within the site, although urban in nature, would provide acceptable levels of privacy, amenity, sunlight and daylight. The impact of the development on amenity is therefore considered to be acceptable.

Impact on local heritage

- 6.26 Members will be aware that some of the buildings on the former hospital site were of local significance historically and had been identified as locally listed buildings. Within the application site the locally listed buildings included the whole of the former frontage of the workhouse building and the Queen Mary Block. Such local designation does not afford any statutory protection although the more recent Planning Policy Statement 5 "Planning for the Historic Environment" introduces the term of "heritage assets" which includes non-designated 'assets' such as those on the site. None of the buildings were or are listed and have previously been assessed by English Heritage as not fulfilling the necessary criteria to be listed and furthermore, the site is not scheduled as a conservation area. The Heritage Assessment submitted with the application confirmed the findings that the buildings were only of limited local importance. Nevertheless, it has always been the intention to ensure that some buildings be retained in order to maintain the link with the past and to try and re-use some of the best buildings on the site.
- 6.27 In considering the current application it is necessary to take into account the significance of the heritage assets and the positive contribution that these make to the character and distinctiveness of the local environment. This

has to be balanced against the desirability of new development making a positive contribution to local distinctiveness.

- 6.28 Members may be aware that consideration of such matters is partly an academic exercise in this instance as all of the buildings identified for demolition within the plans have already been demolished with only the central 'Treasury' building being retained as proposed. The applicants have advised that health and safety concerns about the buildings, which had fallen into disrepair and had been the target of repeated vandalism despite on site security, forced their hand into having the buildings demolished in advance of the determination of the application.
- 6.29 However, the potential impact of the proposals upon the retained 'Treasury' building does need to be considered. The indicative plans show two terraces of 3 storey houses either side of the building. These are shown to be set slightly behind the treasury's front building line with a ridge line no higher than of the treasury and a lower front eaves line. Design is a reserved matter, but staff consider that the indicative elevation demonstrate that there would be an opportunity to deliver new dwellings that would compliment the design and setting of the heritage asset and accordingly no objections are raised.

Transportation, highways and parking issues

- 6.30 The application is in outline form with only the issue of access to be addressed at this stage. A Transport Assessment (TA) prepared by traffic consultants accompanied the planning application.
- 6.31 In terms of the overall level of traffic generated by the development, highways staff are satisfied that the predicted level of vehicular trip generation created by the development, as a percentage of background traffic, would not give rise to any adverse impact upon the functioning of the road network.
- 6.32 Policy DC32 requires that new road scheme will only be allowed where they *inter alia* improve conditions for pedestrians and cyclists and improve public transport accessibility. The proposed links to the site from the north via home zone areas from Union Road are supported; as they would be one way this would prevent rat running to avoid the Waterloo Road/Oldchurch Road roundabout whilst providing an alternative means of access for those arriving by car from the east.
- 6.33 The TA proposes that the main entrance to the site from Oldchurch Road should be signalised and that this should also provide for a new pedestrian crossing of Oldchurch Road. It is also proposed that in order to avoid further traffic light induced delays to traffic that the pedestrian crossing to the east of the entrance should be removed. There is some concern that the introduction of the signalised junction could cause delays to the flow of traffic in the area, particularly at peak hours, and that this could in turn impact

upon the function of the Oldchurch/Waterloo Road roundabout. Although the removal of the existing pedestrian crossing to the east may reduce such impact, there is again concern whether this might pose risk to pedestrians trying to cross Oldchurch Road. Nevertheless, highways staff are satisfied that a solution to any problems can be achieved but that this may require some further investigation of pedestrian desire lines, options for linking the operation of the traffic lights and/or selected vehicle detection for buses. Under previous S106 agreements relating to the overall site there is a safeguarded strip of land along the southern edge of the site to potentially enable road widening to accommodate a bus lane. It is therefore suggested that a S106 contribution of £300,000 for local highways improvements should be sought to cover the potential costs of such studies and works that can reasonably be attributed to the development.

- 6.34 DC Policy 33 reflects the wider requirements set out in PPG 13 and the London Plan and seeks to reduce the need to travel by all forms of motorised transport. The policy seeks to ensure that car parking within a development should not exceed the maxima car parking standards as set out in Annex 5. Policy DC2 establishes that for flatted development that the parking requirement should be low and that less than 1 space per unit is required. The application proposes 220 car parking spaces (0.6 spaces per dwelling) which is considered to be acceptable and in accordance with policy owing to the proximity to the town centre and the good links to public transport facilities. It is also greater than the level of parking agreed at the eastern end of the site.
- 6.35 Staff are satisfied that with the high level of traffic use on the surrounding road network, the promotion of a low parking scheme is to be supported. This would be aided by the implementation of a travel plan on the site to support and promote car free lifestyles, and in so doing facilitate a shift towards the use of sustainable modes of transport. The ongoing implementation, monitoring and review of the travel plan would need to be secured through an appropriate obligation within the S.106 Agreement.
- 6.36 In accordance with policy DC35, cycle parking is proposed by the masterplan at a standard of one cycle storage space per flat and two per house. These would be in secure covered locations, provided on a block by block basis, within the ground floor and basement parking areas of blocks 2 and 3 or within house garden areas.
- 6.37 The proposed north/south and east west grid of routes would promote maximum pedestrian permeability through the site and beyond. The east west route would enable links through to the new local park once constructed and to Nursery Walk and the route east west along the frontage of the site would also link the main entrance to the park. The development to the east and the park are intended to provide direct links through the site to Waterloo Road and a proposed new surface level crossing which will enhance links to the town centre.

Housing considerations

- 6.38 It is proposed that the scheme will provide 368 residential units to include 27 houses and 29 duplex units with the remainder as flats. As an outline application, the mix of dwelling sizes has not yet been finalised although the applicants have advised that the current full application P0975.10 would be amended to reflect this outline application should this one be approved. The indicative proposals show that the scheme overall is envisaged to comprise 28% one bedroom flats and houses; 47% two bedroom flats; 18% three bedroom flats and duplex units; 7% four and five bedroom houses.
- 6.39 In terms of affordable housing the scheme would deliver 28% of the units as affordable split 73% social rented to 27% shared ownership/intermediate housing which is in line with the recommended 70/30 split set out in Policy DC6. In addition there would be a good match with the ratio of unit size requirements for affordable housing in the borough set out in the Housing Strategy 2009/10 – 2011/12. Whilst the proportion of affordable housing is less than the 50% aim set out in Policy DC6 this is supported by earlier viability assessments which show that the development could only afford to deliver 36% affordable housing prior to the more recent amendments which have reduced the size of the scheme by 95 units.
- 6.40 In terms of Market housing the proposed mix is more heavily biased towards 1 and 2 bedroom units than Policy DC2 suggests, but given the predominantly flatted nature of the development this is not considered to be unreasonable and no objections are raised.

Sustainability

- 6.41 The application is accompanied a Sustainability Assessment and Statements, an Energy Statement and Addendum and a Code for Sustainable Homes Pre-Assessment Report. In line with the requirements of the London Plan and Policies DC49 and DC50 of the LDF, the proposal is required to meet high standards of sustainable design and construction, as well as to demonstrate a reduction in predicted carbon dioxide emissions by at least 20%.
- 6.42 The latest submissions demonstrate that the development would achieve Code for Sustainable Homes (CHSH) Level 4. This would be achieved by various means including maximising passive solar gain, the use of a gas fired CHP unit, energy efficient lighting and appliances, and water efficient appliances. The Council's policies would require the development to achieve CFSH Level 3 and conditions are suggested to ensure that this would be achieved.

Education

- 6.43 DC Policy 29 sets out the policy for educational premises whereby the Council undertakes to ensure that the provision of primary and secondary

education facilities is sufficient in quantity and quality to meet the needs of residents. It goes on to state that this will in part be achieved by seeking financial contributions from developers towards the capital infrastructure costs arising from new residential development. In the absence of any more up to date SPD, the IPG on educational needs generated by new development remains the most commonly used method of calculating the required payment.

- 6.44 On the basis of the current predicted breakdown of units supplied by the applicants a maximum of £2.35m would be sought towards the provision of additional school places, in accordance with the formula as set out by the IPG. Staff are currently in discussions with the applicant regarding the amount of contribution sought in this instance taking into consideration such matters as the applicant's status as a RSL and the fact that Housing and Communities Agency funding cannot be used for such purposes. Agreement of the final figure would be the subject of further discussion/negotiation between the relevant parties and it is suggested that this be delegated to the Head of Development and Building Control, in discussion with the Director of Adult and Children's Services.

Health and safety implications

- 6.45 When the application was submitted the adjacent Crow Lane Gas Holder Station was identified under the COMAH (Control of Major Accident Hazard) Regulations as a top tier site. The Health and Safety Executive (HSE) accordingly classify the site as a Major Hazard Site where it is necessary to use their PADHI (Planning Advice for Developments Near Hazardous Installations) methodology and software to generate a consultation response. The Council has been advised that the site was decommissioned as a gas holder site in July 2010 and is now no longer classified as a top tier COMAH site. However, the HSE classification remains unchanged as this runs with the land and will remain in place until such time as the Hazardous Substances Consent for gas storage on the site is revoked or rendered unimplementable in some other way.
- 6.46 The site lies entirely within the Consultation Zones set by the HSE with the majority of the site lying within the middle zone, but with portions on the western and eastern sides partly within the inner and outer zones respectively. As a large relatively dense residential development the HSE also classify the development as being a Level 3 sensitivity development on the basis that there would be a substantial increase in the number of people at risk.
- 6.47 The PADHI response is maintained as an Advises Against recommendation, on the basis that although the likelihood of a major accident occurring is small that the risks of harm to people in the vicinity of the gasholder is such that there are sufficient reasons, on safety grounds, for advising against the granting of planning permission.

- 6.48 The applicants have submitted a risk assessment report as part of the application which was carried out on the basis of the gas holders remaining operational. The report advises that it was carried out using the best available data, but that further details might be available from National Grid to corroborate the reports findings. The qualified conclusion is that the risk of harm to anyone at distances greater than 20m from the heat source from a jet fire, the most onerous risk identified, would be negligible. Risks from other potential failures would be lower than this. On this basis the report concludes that the risk levels are insignificant, that no additional mitigation is required and the development is therefore safe.
- 6.49 The HSE advice is a material consideration to be taken into account, but it is also staff's view that both the applicant's Risk Assessment and the current decommissioned status of the gas holder site are material factors to be taken into consideration. It is also relevant to draw to members attention the fact that National Grid has recently applied for planning permission for the remediation of the land in its ownership around the gas holders, although this excludes the actual gas holder site itself. Nevertheless, it is considered reasonable to conclude that this is work that is proposed with a view to the longer term prospect for the National Grid to realise the potential of the site for alternative development. These are matters that members must weigh in the balance, but given the circumstances described above, the pressure for new housing and the fact that the Council are required to allow the HSE 21 days in which to decide whether to request that the Secretary of State call-in the application for his own consideration, it would be reasonable not to accede to the HSE advice.

Flood risk

- 6.50 The site is located in Flood Zone 1 and as a consequence is not defined as being positioned within a flood risk area. However, a Flood Risk Assessment (FRA) has been submitted because of the size of the application site. The FRA concludes that the development is acceptable and will not result in increased flood risk either on the site or elsewhere. The FRA demonstrates that the site is not suitable for some Sustainable Urban Drainage techniques owing to the clay sub-soil and suggests that alternatives which might be employed include green roofs and water storage measures calculated to reduce peak flows and volumes between that of the existing site and Greenfield rates. The Environment Agency raise no objection to the proposal in principle subject to a condition requiring the submission and approval of a surface water drainage scheme. It is therefore considered that the development would satisfy the requirements of Development Control Policy DC48 Flood Risk and comply with the Government Guidance set out in PPS25 "Development and Flood Risk".

Designing for community safety

- 6.51 Designing for community safety is a material planning consideration and Policy DC63 of the LDF together with the SPD "Designing Safer Places".is

relevant, as is ODPM guidance 'Safer Places'. A Safer Places Statement is included in the Design and Access Statement. Crime prevention measures would be incorporated into the scheme, and various aspects are described in the safer places statement including an emphasis on providing surveillance of the public realm both inside and outside the site, notably Nursery Walk, through the arrangement of the site. overlooked walk ways and active street frontages to discourage crime. The Council's Crime Prevention Design Advisor has commented upon some aspects of the scheme but is satisfied that these could be addressed by the imposition of conditions and an informative.

Planning obligations

- 6.52 Policy DC72 requires that in order to ensure that new development is in line with the principles of sustainable development as set out by the Core and Development Control Policies, various items may be sought in connection with a planning approval where they satisfy the tests set out in Circular 05/05, i.e. reasonable and fair in scale and kind to the development proposed.
- 6.53 In order to ensure the delivery of the quantity of affordable housing proposed any legal agreement should include provision of 106 no. (28%) affordable housing units with a tenure split of 77 no. (73%) for social rent and 29 no. (27%) for intermediate rent.
- 6.54 In line with IPG on educational needs generated by new development and DC29, a phased financial contribution of up to £2.3m is required to fund the additional primary and secondary school places generated by the development with agreement of the final figure to be the subject of further discussion/negotiation between the relevant parties.
- 6.55 As detailed elsewhere in the report, some highway/transportation related obligations are required in association with the development, namely a) a financial contribution of £300,000 towards highway improvement works in the vicinity of the development: b) off site highway works including any necessary improvements to the entrance from Oldchurch Road and related Orders to be respectively undertaken and paid for by the developer; c) submission, implementation and monitoring of a residential travel plan; d) restriction on obtaining parking permits. These obligations are supported by Policies DC32, DC33 and DC72
- 6.56 In order to comply with requirements of Policy DC21 it is considered that a contribution should be made to enable enhancement of the facilities to be provided at the local park/public open space together with a means by which occupiers of the development would contribute towards its management and maintenance.

7 Conclusions:

- 7.1 The proposals the subject of this application seek outline permission for the residential development of the western end of the former Oldchurch Hospital site. The re development of the site as proposed would help to achieve the sustainable re-use of land in accordance with government guidance in PPS1, PPS3 and policy 2A.1 of the London Plan. The residential redevelopment of the site would also be in accordance with policies CP1 of the Local Development Framework and the density of development proposed accords with Policy 3A.3 of the London Plan and Policy DC2 of the LDF. The proposed development is therefore supported in principle.
- 7.2 The application is in outline form with only scale and access to be determined at this stage. However, the illustrative masterplan and other drawings give a good indication of what is likely to be the final form of development. Staff are satisfied that a development on this scale can be achieved on the site in accordance with the density guidelines set out in IPG and the London Plan. Staff are also satisfied that a development of the scale proposed is capable of delivering a quality redevelopment which would not appear out of character with its surroundings and provide a sufficiently high standard of urban design and environment which is sustainable and where people will choose to live, in accordance with the aims of Policies CP2, DC61, PPG3 and Policy 2A.1 of the London Plan.
- 7.3 The access arrangements for the site are considered to be acceptable and the levels of traffic predicted do not give rise to any objection. Concerns about the operation of a new signalised junction are capable of being resolved and a S106 contribution is sought for local road improvements that might be required. There are some issues that would need to be resolved at reserved matters or full application stage but these are capable of being addressed by the use of suitable conditions. Staff therefore conclude that there is no overriding objection to the proposal on transportation or highway grounds.
- 7.4 Staff have considered the impacts upon residential amenity, nature conservation and biodiversity, local heritage, sustainability and flood risk arising from the development and are satisfied that such interests can be properly safeguarded by suitable conditions and/or mitigation strategies.
- 7.5 Staff conclude, having regard to all material considerations that the development is acceptable and that subject to no direction to the contrary from the Mayor for London, no call in of the application by the Secretary of State as a result of a request from the Health and Safety Executive and subject to the prior completion of a legal agreement, it is recommended that outline planning permission be granted.

IMPLICATIONS AND RISKS

Financial implications and risks:

A Section 106 planning obligation is required to make the applications acceptable. The agreement will include the payment of the Councils Legal expenses involved in drafting the S106 agreement. The implications for the Council in relation to the quantum of the Education contribution will need to be evaluated in reaching an agreed position on the level of the Education financial contribution.

Legal implications and risks:

A Section 106 planning obligation would need to be prepared and signed prior to the issue of the planning permission.

The heads of the agreement are set out in the report recommendation.

Human Resources implications and risks:

There are no human resources and risks directly related to this report.

Equalities implications and risks:

There are no specific social inclusion and diversity issues that arise directly from this report. The council's policies and guidance, the London Plan and Government guidance all seek to respect and take account of social inclusion and diversity issues. Conditions are suggested relating to accessibility, access statements, wheelchair housing and lifetime homes.

BACKGROUND PAPERS

1. The planning application as submitted or subsequently revised including all forms and plans.
2. The case sheet and examination sheet.
3. Ordnance survey extract showing site and surroundings.
4. Standard Planning Conditions.
5. Copy of all consultations/representations received and correspondence, including other Council Directorates and Statutory Consultees.
6. The relevant planning history.

7. Relevant details of Listed Buildings, Conservation Areas, Article 4 Directions.

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APPENDIX 1

P1188.09

SCHEDULE OF PLANNING CONDITIONS

1. **Approval of Reserved Matters**

The development hereby permitted may only be carried out in accordance with detailed plans and particulars which shall previously have been submitted to and approved in writing by the Local Planning Authority, showing the siting, design, external appearance and landscaping, including all matters defined as "landscaping" in the Town and Country Planning (General Development Procedure) Order 1995 and any amendment to or replacement of that Order relevant to the context (herein after called "the reserved matters").

Reason: The particulars submitted are insufficient for consideration of the details mentioned and the application is expressed to be for outline permission only.

2. **Time Limit for Details**

Application/s for approval of the reserved matters shall be submitted to the Local Planning Authority within three years from the date of this permission.

Reason: To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

3. **Time Limit for Commencement (Outline)**

The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matter to be approved.

Reason:- To comply with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

4. **Complete Accordance with Plans**

All works for each part or phase of development shall be carried out in full accordance with the approved plans, drawings, particulars and specifications as set out in the schedule to this permission and any other plans drawings particulars and specifications pursuant to any further approval of details as are approved by the Local Planning Authority,

Reason: The Local Planning Authority consider it essential that the whole of the development is carried out and that no departure whatsoever is made from the details approved, since the development would not necessarily be acceptable if partly carried out or carried out differently in any degree from the details submitted or those subsequently approved. Also, in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

5. **Submissions and Approvals**

Any application or submission for any other approval required by any condition attached to this permission shall be made in writing to the Local Planning Authority and any approval shall be given in writing. Any approved works shall be carried out and retained thereafter in accordance with that approval.

Reason: To ensure that the Development is satisfactorily implemented in accordance with any approvals.

6. **Phasing Strategy**

The development shall not be commenced unless and until a Phasing Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not proceed other than in accordance with the agreed phasing strategy, unless any variation to it is subsequently agreed in writing by the Local Planning Authority.

Reason: To ensure that there is an appropriate phased sequence of development on the site.

7. **Number of Residential Units**

The number of residential units in the development hereby permitted shall not exceed 368 dwellings.

Reason: To comply with requirements to provide a details of the number of residential dwellings proposed.

8. **Details of Materials**

Within 3 months of the commencement of development or of development for each phase, samples and details of all materials to be used in the external construction of the buildings and surfacing of all external areas comprised in the development, or each phase thereof as set out in the phasing strategy, shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the appearance of the proposed development will harmonise with the character of the surrounding area, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

9. **Boundary Treatment**

Within 3 months of the commencement of development or of development for each phase, details of treatment proposed for those parts of the boundaries comprised in that part of the application site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented in accordance with the agreed details prior to the occupation of the first dwelling unit within the development or the phase of the development to which it relates and shall be permanently retained and maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity, and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

10. **Lighting**

Within 3 months of the commencement of development or of development for each phase, a scheme for the lighting of all external areas of the site or phase, including pedestrian routes within and at the entrances to that phase of the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include details to show that consideration has been given to nature conservation interests as well as highway safety and public amenity. The agreed scheme shall be installed in full for the site or phase, prior to the first dwelling of that phase being occupied. With the exception of any areas that have become adopted highway, the lighting scheme shall be retained and kept fully operational at all times.

Reason: In the interests of highway safety, public amenity and nature conservation and in order that the development accords with Development Control Policies Development Plan Document Policy DC61.

11. **Landscaping**

Within 3 months of the commencement of development or of development for each phase, a scheme of soft and hard landscaping and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include indications of all existing trees and shrubs on the site, and details of any to be retained, and any proposed topping or lopping, together with measures for their protection in the course of development. The scheme shall specify the size, species, and positions or density of shrubs and trees to be planted and the approved scheme for the development or relevant phase thereof shall be undertaken in accordance with the timetable approved in writing by the Local Planning Authority. If within a period of five years from the date of the planting, any tree or shrub or any tree or shrub planted in replacement of it, is removed, up-rooted or destroyed, is diseased or dies, another tree or shrub of the same species and size to that originally planted shall be planted at the same place.

Reason: To ensure the scheme has adequate landscaping and to ensure that any trees or shrubs planted as part of the landscaping scheme are replaced in accordance with that scheme, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

12. **Landscape Management Plan**

For the development or each phase of the development a landscape management plan, including long term design objectives, management responsibilities, maintenance schedules for all landscape areas, other than privately owned domestic gardens, and a timetable for its implementation shall be submitted to and approved in writing by the Local Planning Authority prior to the first residential occupation of the development or any phase thereof, as appropriate. The landscape management plan approved shall be carried out to the approved timescale and adhered to thereafter.

Reason: To protect/conservate the natural features and character of the area, and that the development accords with Development Control Policies Development Plan Document Policy DC61.

13. **Play Area Design**

Within 3 months of the commencement of development or of development for each phase, a scheme for the design of the proposed play area within the development or the relevant phase thereof shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of perimeter fencing, gates and surface materials and play equipment. The

approved scheme shall be implemented prior to first residential occupation of the development or relevant phase thereof and permanently retained and maintained thereafter.

Reason: In the interests of amenity and so that the development accords with Development Control Policies Development Plan Document Policy DC61.

14. **Protection of Preserved Trees**

No building, engineering operations or other development on the site, shall be commenced until a scheme for the protection of preserved trees on the site has been submitted to and agreed in writing by the Local Planning Authority. Such scheme shall contain details of the erection and maintenance of fences or walls around the trees, details of underground measures to protect roots, the control of areas around the trees and any other measures necessary for the protection of the trees. Such agreed measures shall be implemented and kept in place until the approved development is completed to the satisfaction of the Local Planning Authority.

Reason: To protect the trees on the site subject to a Tree Preservation Order, and to ensure that the development accords with Development Control Policies Development Plan Document Policy DC60.

15. **Obscure Glazing**

A scheme for obscure glazing of appropriate windows shall be submitted with the detailed plans for the development or each and every phase of the development hereby permitted as appropriate, to be agreed in writing by the Local Planning Authority prior to the commencement of the development or the relevant phase. The obscure glazing shall be installed prior to the residential occupation of the relevant unit in accordance with the agreed scheme for the development or relevant phase thereof and retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of privacy.

16. **Car Parking**

Before any of the building(s) in the development or any phase of the development hereby permitted are first occupied, a plan showing provision of spaces shall be submitted for the development or that phase as appropriate, to be agreed in writing with the local planning authority. Provision shall be made within the development or phase thereof, for car parking at the level agreed for the overall development or the specific phase. This shall include car parking

spaces for people with disabilities at a ratio of not less than 4% of overall provision, thereafter such provision shall be made permanently available for use, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure that car parking accommodation is made permanently available within the development in the interests of highway safety and that the development accords with Development Control Policies Development Plan Document Policy DC33.

17. **Cycle Storage**

Prior to the commencement of development or of development for each phase, of the development hereby permitted, details to show how secure cycle parking is to be provided on site within that phase shall be submitted to the Local Planning Authority for approval in writing. The details shall include the location and means of construction of the storage areas, making provision for one space per residential unit. Cycle storage facilities shall be provided in accordance with the approved details for the relevant dwelling prior to its occupation. Such facilities shall be permanently retained and made available for residents use thereafter.

Reason: To seek to encourage cycling as a more sustainable means of travel for short journeys.

18. **Road Construction**

All roads to be adopted within the approved development shall be designed and constructed in accordance with current highway standards for adoptable highways, including footway provision, road width and road junction layout to the satisfaction of the Local Planning Authority. The design of roads to be adopted shall be of minimum width 5.5 metres, and any such road shall be constructed in full accordance with the plans agreed and in a timetable to be submitted to and agreed with the Local Planning Authority.

Reason: In the interests of highway safety.

19. **Alterations to the Public Highway (1)**

Prior to the commencement of development a scheme for the proposed changes to the public highway shall be submitted in detail and approved in writing by the Local Highway Authority.

Reason: In the interest of ensuring good design and ensuring public safety and to comply with policies CP10, CP17 of the Core Strategy DPD and DC61 of the Development Control Policies DPD.

20. **Alterations to the Public Highway (2)**

Prior to the commencement of development any necessary agreement, notice or licence to enable the proposed alterations to the public highway shall be entered into.

Reason: To ensure that the interests of the travelling public are maintained and to comply with policies CP10, CP17 of the Core Strategy DPD and DC61 of the Development Control Policies DPD.

21. **Road Safety Audit**

Prior to and following on from the construction of or any works to the access to the site from Oldchurch Road pursuant to this permission as appropriate, the developer shall submit for the written approval of the Local Planning Authority a 4-stage full Road Safety Audit (RSA) as defined in HD 19/03 of the Design Manual for Roads and Bridges with any recommendations arising being reasonably dealt with. The findings of the Audit shall be implemented in accordance with the approved details prior to the construction of the access and associated works, or as otherwise allowed in the audit. For the avoidance of doubt a Stage 1 and Stage 2 RSA shall be undertaken prior to construction and a Stage 3 and Stage 4 RSA shall be undertaken following construction.

Reason: In the interests of highway safety and to comply with Policies CP10, CP15, CP17 and DC61 of the Core Strategy and Development Control Policies DPDs.

22. **Car Parking Secure by Design**

Within 3 months of the commencement of the development hereby permitted a scheme shall be submitted in writing providing details of how any covered or basement parking to be provided within the development shall comply with Secured by Design standards. The scheme shall detail how the compliance can be achieved on a phased basis and once approved the development shall be carried out in strict accordance with the agreed details and thereafter permanently retained

Reason: In the interest of residential amenity and creating safer, sustainable communities, reflecting guidance set out in PPS1, and policies CP17 of the Core Strategy DPD) and DC63 of the Development Control Policies DPD, and 4B.6 of the London Plan (published February 2008)

23. **Electric Vehicle Charging Points**

Within 3 months of the commencement of development or of development for each phase, a scheme making provision for 20% of the parking spaces within the development or relevant phase thereof to be served by electric vehicle charging points, with the potential for this to be expanded by a further 20% site shall be submitted to and agreed in writing by the Local Planning Authority. Development shall thereafter proceed in accordance with the approved scheme.

Reason: In order to ensure that the development adequately incorporates measures to allow the use of electric vehicles by future occupiers in accordance with policy 6.13 of the draft revised London Plan.

24. **Fire Brigade Access**

Within 3 months of the commencement of development, a scheme for the provision of adequate access for fire brigade shall be submitted to and approved in writing by the Local Planning Authority in consultation with the London Fire and Emergency Planning Authority. First residential occupation of any phase of the development or of the overall development hereby approved as the case may be shall not take place until the approved scheme for fire brigade access for the relevant phase or the approved scheme for the development site as a whole, has been implemented.

Reason: To ensure that adequate access for fire brigade purposes is made available in the interests of safety.

25. **Foul and Surface Water Drainage**

Development shall not commence until a drainage strategy detailing any on and/ or off site drainage works and a strategy for each phase of its provision has been submitted to and approved in writing by the Local Planning Authority in consultation with the sewerage undertaker and the Environment Agency. No works which result in the discharge of foul or surface water from the site shall be commenced until the on/and or off site drainage works and connections for that phase of the works have been completed.

Reason: To ensure that the foul and/or surface water discharge from the site shall not be prejudicial to the existing sewerage system, to prevent the increased risk of flooding, and in order that the development accords with Development Control Policies Development Plan Document Policy DC51 and PPG 25 "Development and Flood Risk".

26. **Surface Water Drainage Scheme**

Development shall not begin until a surface water drainage scheme

for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, and a strategy for each phase of its provision, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, swales, permeable paving, green / brown roofs and storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- Confirmation of the critical storm duration.
- Where on site attenuation is achieved through attenuation ponds, storage in permeable paving, green / brown roofs and underground storage tanks calculations showing the volume of these are also required.
- Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- Confirmation of the surface water discharge rate from the existing site and that from the completed scheme.
- Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.
- Details of how the scheme shall be maintained and managed after completion

Reason: To prevent the increased risk of flooding to the site and third parties and to improve and protect water quality and improve amenity and habitat and in order that the development accords with Development Control Policies Development Plan Document policies DC48 and DC51 and PPG 25 "Development and Flood Risk".

27. **Infiltration**

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given only for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To ensure protection of controlled waters.

28. **Details of Fire Hydrants:**

Within 3 months of the commencement of the overall development or of development for each phase, a scheme detailing the location and detail of fire hydrants in that phase of the site or the development site as a whole shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any of the buildings of the development or phase thereof to be served by the identified hydrants, such hydrants as required by the LFEPA for that phase of the development or the development as a whole as the case maybe shall be provided in accordance with the LFEPA's requirements prior to the occupation of the relevant unit/s and thereafter maintained continuously to the satisfaction of the Local Planning Authority.

Reason: To ensure that adequate provision is made for fire protection on the site.

29. **Design Statement**

Any application for reserved matters, or any phase thereof, shall be accompanied by a comprehensive design statement which demonstrates how the development responds to the guidance set out in paragraph 35 of PPS1 and other good practice guides referred to at paragraph 37 of that document.

Reason: To ensure the ongoing provision of high quality design, and in order that the development accords with Development Control Policies Development Plan Document policy DC61 and Policy 4B.1 of the London Plan.

30. **Access Statement**

Prior to the commencement of development or of development for each phase, an access statement shall be submitted to and approved in writing by the Local Planning Authority. The statement shall demonstrate that all parts of the development, including the car parks and all external public areas, shall be designed to be accessible for all, including people with disabilities. Such details shall include;

- a) How the layouts, including entrances, internal and external circulation spaces, car parking areas, 10% of residential accommodation, directional signs, lighting levels and other relevant facilities are accessible, adaptable or otherwise accommodate those with mobility difficulties and visual impairments.

Such provision to make the development fully accessible shall be carried out in accordance with the approved details and made

available before each phase of the development is first occupied or the development is first occupied as the case may be and thereafter maintained as such unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of future residents and visitors in accordance with the Council's policies and practice for access for people with disabilities and in accordance with the provisions of the Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005.

31. **Lifetime homes**

All residential units hereby approved are to comply with Lifetime Homes Standards, as defined in the Joseph Rowntree Foundation (JRF) publication "Achieving Part M and Lifetime Home Standards April 1999" and the joint collaboration of JRF, Mayor of London, GML Architects and Habinteg HA in the publication 'Lifetime Homes' and as referred to in the GLA Accessible London SPG (Appendix 4 correct at March 2004),.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers in accordance with Development Control Policies Development Plan Document Policy DC7 and Policy 3A.5 of the London Plan.

32. **Wheelchair Accessibility**

10% of new housing shall be designed to be wheelchair accessible or easily adaptable for such residents and shall be constructed in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority. The units will thereafter be maintained in accordance with the approved scheme.

Reason: In the interests of the amenities of future residents and visitors and to ensure that the residential development meets the needs of all potential occupiers in accordance with Development Control Policies Development Plan Document Policy DC7 and Policy 3A.5 of the London Plan.

33. **Sustainability Statement**

Prior to the commencement of development or of development for each phase the developer shall provide a copy of the Interim Code Certificate confirming that the development design or relevant phase thereof, achieves a minimum Code for Sustainable Homes 'Level 3' rating. The development or relevant phase thereof shall thereafter be carried out in full accordance with the agreed

Sustainability Statement. Before the proposed development or relevant phase thereof is occupied the Final Code Certificate of Compliance shall be provided to the Local Planning Authority in order to ensure that the required minimum rating has been achieved.

Reason: In the interests of energy efficiency and sustainability in accordance with DC49 Sustainable Design and Construction and Policies 4A.7 of the London Plan.

34. **Energy Statement**

The renewable energy systems shall be installed in strict accordance with the Energy Assessment and Strategy and be operational to the satisfaction of the Local Planning Authority prior to the occupation of any Phase of the development. The development shall thereafter be maintained in full accordance with the agreed Energy Strategy and the measures identified therein.

Reason: In the interests of energy efficiency and sustainability in accordance with DC50 Renewable Energy and Policies 4A.7, 4A.8 and 4A.9 of the London Plan.

35. **Designing for Community Safety - Secured by Design)**

Prior to the commencement of the development hereby permitted, details of the measures to be incorporated into the development demonstrating how 'Secured By Design' accreditation might be achieved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until written confirmation of compliance with the agreed details has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of creating safer, sustainable communities, reflecting guidance set out in PPS1, Policy 4B.6 of the London Plan, and Policies CP17 'Design' and DC63 'Delivering Safer Places' of the LBH LDF

36. **Designing for Community Safety - CCTV**

Prior to the commencement of the development or of development for each phase hereby permitted, a scheme showing the details of a CCTV system for the development to be installed for the safety of residents and visitors, and the prevention of crime throughout (for the avoidance of doubt to include all phases of the development), shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Havering Police Crime Prevention

Design Advisor. No part of any phase of the development shall be occupied or used before the scheme is implemented as agreed. . The approved scheme shall be retained and maintained in working order thereafter.

Reason: In the interest of residential amenity and creating safer, sustainable communities, in accordance with Policies CP17 and DC63 of the LDF.

37. **Refuse Storage and Segregation for Recycling**

Prior to the first occupation of the development or each phase of the development hereby approved, provision shall be made for the storage of refuse / recycling awaiting collection according to details which shall previously have been agreed in writing by the Local Planning Authority. Unless otherwise agreed in writing these details shall include provision for suitable containment and segregation of recyclable waste. The measures shall be fully implemented in accordance with the agreed details for the development or the relevant phases thereof as the case may be.

Reason: In the interests of the amenity of occupiers of the development and also the visual amenity of the development and locality general, and in order that the development accords with Development Control Policies Development Plan Document policy DC40 and in the interests of sustainable waste management.

38 **Piling and Foundations**

Piling or any other foundations using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater.

Reason: To ensure protection of groundwater.

39. **Archaeological Investigation**

No development of any phase of the site or of the overall development as the case may be shall take place until the applicant has secured the implementation of a programme of archaeological work for the development or each phase thereof in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority for the development or the relevant phases thereof as the case may be.

Reason: Important archaeological remains, including a Workhouse cemetery, may survive on this site. Accordingly, the Planning Authority wishes to secure the provision of adequate information on which to base a full planning decision for a mitigation strategy, in accordance with the guidance set out in PPS5, and in order that the development accords with Development Control Policies Development Plan Document policy DC70.

See Informative 4

40. **Biodiversity Enhancement**

Prior to the commencement of development or of development for each phase, a scheme for the biodiversity enhancement measures to be incorporated into the development or the relevant phase of the development as the case may be as detailed in the approved documents and plans shall be submitted to and approved in writing by the Local Planning Authority. The development or the relevant phase of the development shall thereafter be carried out in full accordance with the agreed scheme and retained thereafter.

Reason: To ensure that opportunities for biodiversity enhancement are incorporated into the development in accordance with Development Control Policies Development Plan Document policies. DC58 and DC59

41. **Construction Environmental Management Plan**

Prior to the commencement of development or of development for each phase hereby approved, a scheme shall be submitted to and approved in writing by the local planning authority making provision for a Construction Environmental Management Plan to control the adverse impact of the overall development or any phase of the development on the amenity of the public and nearby occupiers. The Construction Environmental Management Plan/s shall include details of:

- a) parking of vehicles of site personnel and visitors;
- b) Areas hardened to enable the loading and unloading of plant and materials;
- c) storage of plant and materials, including stockpiles of crushed concrete;
- d) dust management controls (using best practicable means) and monitoring proposals;
- e) Treatment of all relevant pedestrian routes and highways within and around the site throughout the course of demolition and construction and their reinstatement where necessary;
- f) Details of access points to the site and routes within the site

- for construction vehicles;
- g) measures for minimising the impact of noise and, if appropriate, vibration arising from demolition and construction activities;
- h) predicted noise and, if appropriate, vibration levels for demolition and construction using methodologies and at points agreed with the local planning authority;
- i) schemes for monitoring noise and if appropriate, vibration levels using methodologies and at points agreed with the local planning authority; siting and design of temporary buildings;
- j) scheme for security fencing/hoardings, depicting a readily visible 24-hour contact number for queries or emergencies;
- k) details of disposal of waste arising from the construction programme, including final disposal points. The burning of waste on the site at any time is specifically precluded.

And the development or the relevant phase thereof shall be carried out in accordance with the approved Plan.

Reason: To protect residential amenity and to ensure the works are carried out in such a way to avoid, remedy or mitigate adverse effects, and in order that the development accords with Development Control Policies Development Plan Document policy DC61.

42. **Delivery and Servicing Plan**

Prior to the commencement of development a phased Construction Logistics Plan (CLP) and Delivery and Servicing Plan (DSP) detailing access arrangements, booking systems, construction phasing, vehicular routes and scope for load consolidation will be prepared and submitted to the Local Planning Authority for approval in writing. The details shall include the location and means of delivery and servicing. Delivery and Servicing facilities for the relevant phase of the development shall be provided in accordance with the approved details prior to the first occupation of the development. Such facilities shall be permanently retained and made available for residents use thereafter.

Reason: In the interests of highway safety.

43. **Hours of Construction**

No construction works or construction related deliveries into the site shall take place other than between the hours of 08.00 to 18.00 on Monday to Friday and 08.00 to 13.00 hours on Saturdays unless agreed in writing with the local planning authority. No construction works or deliveries shall take place on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the local planning

authority.

Reason: To protect residential amenity and in order that the development accords with Development Control Policies Development Plan Document policy DC61.

44. **Wheel Washing**

Prior to the commencement of development or of development for each phase, including demolition and site preparation, details of wheel scrubbing/wash down facilities to prevent mud being deposited onto the public highway during demolition, site preparation and construction works of the development or relevant phase thereof shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be permanently retained and used at relevant entrances to the site from the inception of any development activity including site preparation, demolition and throughout the course of construction works.

Reason: In order to prevent materials from the site being deposited on the adjoining public highway, in the interests of highway safety and the amenity of the surrounding area and in order that the development accords with Development Control Policies Development Plan Document policy DC61.

45. **Contamination Assessment**

Prior to the commencement of the development the developer shall submit for the written approval of the Local Planning Authority and carry out as required the following:

a) A Phase I (Desktop Study) Report documenting the history of this site, its surrounding area and the likelihood of contaminant/s, their type and extent incorporating a Site Conceptual Model.

:

b) A Phase II (Site Investigation) Report if the Phase I Report confirms the possibility of a significant risk to any sensitive receptors. This is an intrusive site investigation including factors such as chemical testing, quantitative risk assessment and a description of the sites ground conditions. An updated Site Conceptual Model should be included showing all the potential pollutant linkages and an assessment of risk to identified receptors.

c) A Phase III (Risk Management Strategy) Report if the Phase II Report confirms the presence of a significant pollutant linkage requiring remediation. The report will comprise of two parts:

Part A – Remediation Scheme which will be fully implemented before it is first occupied. Any variation to the scheme shall be

agreed in writing to the Local Planning Authority in advance of works being undertaken. The Remediation Scheme is to include consideration and proposals to deal with situations where, during works on site, contamination is encountered which has not previously been identified. Any further contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for written approval.

Part B – Following completion of the remediation works a ‘Validation Report’ must be submitted demonstrating that the works have been carried out satisfactorily and remediation targets have been achieved.

a) If during development works any contamination should be encountered which was not previously identified and is derived from a different source and/or of a different type to those included in the contamination proposals then revised contamination proposals shall be submitted to the Local Planning Authority; and

b) If during development work, site contaminants are found in areas previously expected to be clean, then their remediation shall be carried out in line with the agreed contamination proposals.

For further guidance see the leaflet titled, ‘Land Contamination and the Planning Process’.

Reason: To protect those engaged in construction and occupation of the development from potential contamination and in order that the development accords with Development Control Policies Development Plan Document policy DC53

46. **Sound Insulation**

The buildings shall be so constructed as to provide sound insulation of 45 DnT, w + Ctr dB (minimum values) against airborne noise and 62 L’nT, w dB (maximum values) against impact noise to the satisfaction of the Local Planning Authority.

Reason: To prevent noise nuisance to adjoining properties in accordance with Development Control Policies Development Plan Document policy DC61 and DC55, and Planning Policy Guidance Note PPG24, “Planning and Noise.”

PLANNING INFORMATIVES

1. **REASON FOR APPROVAL:** This decision to grant planning permission has been taken:

i) having regard to Policies CP1, CP2, CP7, CP8, CP10, CP9, CP10, CP12, CP15, CP16, CP17, CP18 of the LDF Core Strategy Development Plan Document; Policies DC2, DC3, DC6, DC7, DC20, DC21, DC27, DC29, DC30, DC32, DC33, DC34, DC35, DC49, DC50, DC51, DC52, DC55, DC58, DC59, DC60, DC61, DC62, DC63, DC67, DC70, DC72 of the LDF Development Control Policies Development Plan Document; Policy SSA1 of the LDF Site Specific Allocations Development Plan Document; Policies 3A.2, 3A.3, 3A.5, 3A.6, 3A.7, 3A.9, 3A.10, 3A.11, 3D.13, 4A.1, 4A.2, 4A.3, 4A.4, 4A.5, 4A.6, 4A, 4A, 4A.10, 4A.11, 4A.13, 4A.14, 4B.1, 4B.2, 4B.5, 4B.9, 4B.10 of the London Plan (Spatial Development Strategy for Greater London) 2008 and London Plan Supplementary Planning Guidance, including 'Providing for Children and Young People's Play and Informal Recreation', PPS1 'Delivering Sustainable Development', PPS3 'Housing', PPS5 'Planning for the Historic Environment' PPS6 'Planning for Town Centres', PPG13 'Transport', PPG 15 'Planning and the Historic Environment', PPS22 'Renewable Energy', PPS25 'Development and Flood Risk'.

iii) for the following reason: The proposed development would fulfil the aims and objectives of the relevant policies of the Local Development Framework and London plan by providing the residential redevelopment of a brown field site. The proposal would provide both market housing and affordable housing for those with low incomes and would relate satisfactorily to its surroundings and neighbouring development and can be accommodated on the site without any materially harmful visual impact or any significant adverse impact on residential amenity. The proposal incorporates sufficient play areas within a development of high quality design and layout. The impact arising from residential traffic from the development would be acceptable within the locality and the proposal would provide scope for improved pedestrian and cycle access. The proposal meets the objectives of national, regional and local policies by being sustainable development making efficient use of land and providing residential development with easy access to facilities without adverse impact on residential amenity. Whilst the development would have a variety of impacts it is considered that these can be satisfactorily addressed by conditions and the provisions of a S106 legal agreement.

For a full copy of the written report, please visit the planning pages of the Council's website at www.havering.gov.uk/planning

2. The developer should ensure that highways outside the site affected by the construction works are kept in a clean and tidy condition otherwise action may be taken under the Highways Act.
3. The applicant is advised that planning approval does not constitute approval for changes to the public highway. Highway Authority approval will only be given after suitable details have been

submitted, considered and agreed. In particular, appropriate Highway standards will need to be followed when designing adoptable roads and access junctions. Any proposals which involve building over the public highway as managed by the London Borough of Havering, will require a licence and the applicant must contact StreetCare, Traffic & Engineering on 01708 433750 to commence the Submission/ Licence Approval process.

4. The developer, their representatives and contractors are advised that this permission does not discharge the requirements under the New Roads and Street Works Act 1991 and the Traffic Management Act 2004. Formal notifications and approval will be needed for any highway works (including temporary works) required during the construction of the development.
4. In dealing with condition 39 (Archaeological Investigation) the applicant is advised that the development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design to assess these remains. The design should be in accordance with the appropriate English Heritage guidelines.
5. The applicant or nominated contractor, is encouraged to apply to the Local Planning Authority's Environmental Health Service for a consent under Section 61 of the Control of Pollution Act 1974 in order to control the impact of noise and vibration associated with the construction work.
6. In aiming to satisfy conditions 22, 35 and 36, the applicant should seek the advice of the Borough Crime Prevention Design Advisor. He can be contacted through the London Borough of Havering Regulatory Services or Romford Police Station, 19 Main Road, Romford, Essex, RM1 3BJ. It is the policy of the local planning authority to consult with the Borough CPDA in the discharging of this/these condition(s).
7. The Council encourages the developer to apply the principles of the "Considerate Constructors Scheme" to the contract for the development.
8. The Council wishes to encourage developers to employ sustainable methods of construction and design features in new development. The applicant's attention is drawn to the Council's 'Sustainable Construction Strategy' a copy of which is attached. For further advice contact the Council's Energy Management Officer on 01708 432884.
9. The applicants are reminded that the grant of planning permission does not absolve them from complying with the relevant law

protecting species, including obtaining and complying with the terms and conditions of any licence required.

10. The applicant is reminded that the illustrative masterplan should only be seen to provide a general concept of how the site might be developed. Any detailed scheme will need to be designed to fully incorporate the requirements of the various conditions that have been imposed and in conformity with the Council's standards.
11. Sustainable Urban Drainage Systems (SUDS) – Support for the SUDS approach to managing surface water run-off is set out in paragraph 22 of Planning Policy Statement 1 (PPS): Delivering Sustainable Development and in more detail in Planning Policy Statement 25: Development and Flood Risk at Annex F. paragraph F8 of the Annex notes that “ Local Planning Authorities should ensure that their policies and decisions on applications support and complement Building Regulations in sustainable rainwater drainage”.

The drainage scheme proposed should provide a sustainable drainage strategy to include SUDS element with attenuation, storage and treatment capacities incorporated as detailed in the e CIRIA SUDS Manual (C697).

Further information on SUDS can be found in:

- PPS25 page 33 Annex F
 - PPS25 Practice Guide
 - CIRIA C522 document Sustainable Drainage Systems – design manual for England and Wales
 - The Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and full overview of other technical guidance on SUDS.
12. Pollution – Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter should not discharge to the surface water system. Such areas should be surrounded by suitable liquid tight bunded compounds to prevent drainage from these areas discharging into the surface water system. Effluent from these areas should be discharged to the foul sewer if available subject to the approval of Thames Water Utilities or its sewerage agent.

No sewage or trade effluent should be discharged to the surface water drainage system. Any contaminated material that needs to be removed from the site should be taken to an appropriately licensed facility.

Any bunded areas should be impermeable to the materials stored within. They should not contain a damp-proof course and should be regularly checked and maintained to ensure integrity.

13. Planning Obligations

The planning obligations recommended in this report have been subject to the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the obligations are considered to have satisfied the following criteria:-

- (a) Necessary to make the development acceptable in planning terms;
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.